DOCUMENT RESUME

ED 439 559 EC 307 738

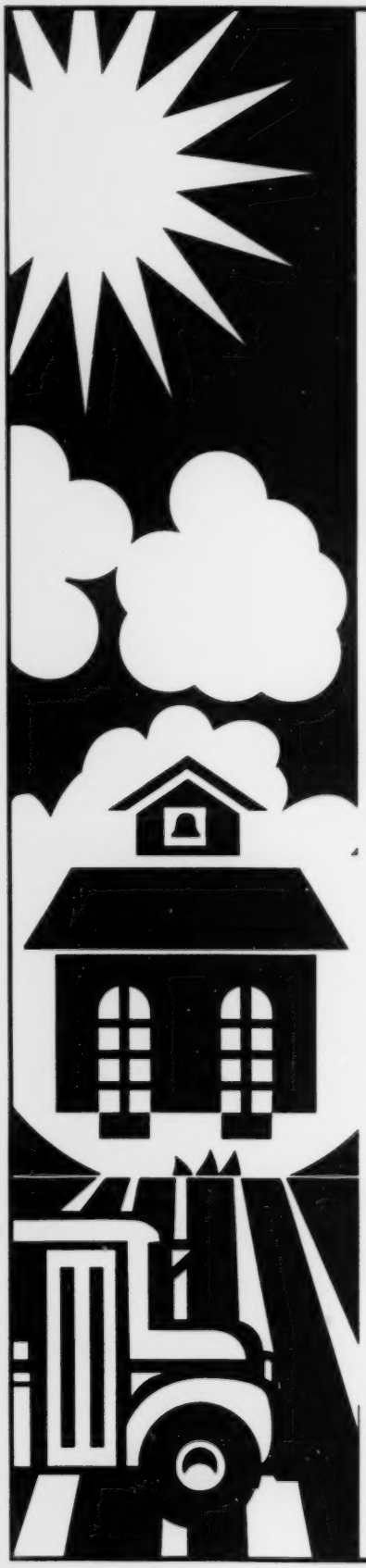
AUTHOR	Landau, Julia K., Ed.; Romano, Carolyn A., Ed.; Vohs, Janet R., Ed.
TITLE	Every Single Student: A PEER Resource Manual on Standards-Based Education and Students with Disabilities.
INSTITUTION	Federation for Children with Special Needs, Boston, MA.
SPONS AGENCY	Office of Special Education and Rehabilitative Services (ED), Washington, DC.
PUB DATE	1999-00-00
NOTE	175p.
CONTRACT	H029K50208
AVAILABLE FROM	PEER Project, Federation for Children with Special Needs, 1135 Tremont St., Suite 420, Boston, MA 02120. Tel: 617-236-7210 (Voice/TTY); Fax 617-572-2094; e-mail: fcsninfo@fcsn.org; Web site: http://www.fcsn.org.
PUB TYPE	Books (010) -- Collected Works - General (020) -- Guides - Non-Classroom (055)
EDRS PRICE	MF01/PC07 Plus Postage.
DESCRIPTORS	*Academic Accommodations (Disabilities); *Academic Standards; Behavior Modification; *Curriculum Design; *Disabilities; Educational Assessment; Educational Change; Educational Innovation; Educational Legislation; Elementary Secondary Education; *Equal Education; *Federal Legislation; Parent Participation; Student Participation; Transitional Programs
IDENTIFIERS	Americans with Disabilities Act 1990; Individuals with Disabilities Education Act; Rehabilitation Act 1973 (Section 504)

ABSTRACT

This manual covers thirteen different topics relevant to the education of students with disabilities in the era of educational reform and standards-based education. Sections include: (1) "Raising Standards of Learning: and Students with and Standards-Based Education Students with Disabilities" (Janet R. Vohs, Julia K. Landau, and Carolyn Romano); (2) "Curriculum and Instruction: Key Strategies To Promote Equity and Excellence" (Cheryl M. Jorgensen); (3) "Accommodations: Examples from State Assessment Policies" (Julia K. Landau, Janet K. Vohs, and Sue Cusak); (4) "Assessment: A Key Component of Education Reform" (Martha L. Thurlow); (5) "Participation of Students with Disabilities in Education Reform: The Legal Basis" (PEER Project); (6) "Opportunity To Learn and Education Reform: Ensuring Access to Effective Education for All Students" (Kathleen B. Boundy); (7) "Section 504, the Americans with Disabilities Act, and Education Reform" (PEER Project); (8) "IDEA 1997: Improving the Education of Students with Disabilities in an Era of Education Reform" (Janet R. Vohs and Julia K. Landau); (9) "Title 1: Tools for Ensuring Quality Educational Opportunities" (Carolyn Romano); (10) "Transition in an Era of Education Reform" (Carol Tashie and Cheryl Jorgensen); (11) "Positive Behavior Supports and Functional Assessment of Behavior" (Families and Disability Newsletter); (12) "Parent Participation: Crucial to School Reform" (Barbara Buswell and Beth Schaffner); and (13) "Site Visits: Seeing Schools in Action" (Alison Seyler and Barbara E. Buswell). (CR)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 439 559



U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

- ✓ This document has been reproduced as received from the person or organization originating it.
- Minor changes have been made to improve reproduction quality.
- Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

Every Single Student

A PEER Resource Manual on Standards-Based Education and Students with Disabilities

prepared by the

PEER Project
Parents Engaged in Education Reform
a project of

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

EC 307738

BEST COPY AVAILABLE

Every Single Student

A PEER Resource Manual on Standards-Based Education and Students with Disabilities

Editors:

Julia K. Landau
Carolyn A. Romano
Janet R. Vohs

Contributing Authors:

Beach Center on Families and Disability — University of Kansas,
Barbara Buswell, Kathleen B. Boundy, Sue Cusack, Cheryl M. Jorgensen,
Julia K. Landau, Carolyn A. Romano, Beth Schaffner, Alison Seyler,
Carol Tashie, Martha L. Thurlow, and Janet R. Vohs

Book Design:

K. Nummi Nummerdor

Published by the Federation for Children with Special Needs
Boston, Massachusetts
1999

Parents Engaged in Education Reform is a national technical assistance project funded by the U.S. Department of Education, Office of Special Education Programs. PEER's purpose is to support parents of children with disabilities and their organizations to be informed, active participants in education reform efforts.

The Federation for Children with Special Needs is a nonprofit organization based on the philosophy of parents helping parents. Founded in 1974 as a coalition of twelve disability and parent organizations, today the Federation is an independent advocacy organization committed to quality education and health care for all, and to protecting the rights of all children. To this end, the Federation provides information, support, and assistance to parents of children with disabilities, their organizations, their professional partners, and their communities.

For more information about the PEER Project or the Federation for Children with Special Needs, please contact the Federation's Central Office at:
1135 Tremont St., Suite 420
Boston, MA 02120
617-236-7210
Fax: 617-572-2094; **E-mail:** peer@fcsn.org; **URL:** www.fcsn.org

---

Every Single Student: A PEER Resource Manual on Standard-Based Education and Students with Disabilities has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this *Manual* was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

The PEER Project would like to acknowledge Jim Button and JoLeta Reynolds at the Office of Special Education and Rehabilitative Services, U.S. Department of Education, for their ongoing support of the PEER Project and the publication of this *Manual*.

Carolyn A. Romano, Project Director
Janet R. Vohs, Associate Project Director

© 1999 The Federation for Children with Special Needs, Inc., Boston, Massachusetts

Every Single Student

"*All* students" means "every single student."

– The Restructuring and Inclusion Project conducted by the Institute on Disability at the University of New Hampshire

It may seem at first that general education reform has little to do with students with disabilities. After all, parents and their organizations have pushed for and won tremendous advances in education for children with disabilities for over the past 25 years. Most parents of children with disabilities have come to rely on state and federal special education laws for guarantees that their children with disabilities will receive an appropriate education. For years, these laws have detailed the steps that must be taken to develop a child's Individualized Education Program (IEP), including rules for parent participation. These laws require that, to the maximum extent appropriate, each child with a disability be educated in regular classes along with his or her nondisabled peers with supplementary aids and services as appropriate.

With national attention focused on reforming education for all students, it is critical now that parents and teachers become familiar with issues of education reform as they relate to students with disabilities. Unfortunately, for too many children – both with and without disabilities – school is characterized by low expectations, watered-down curriculum, and unfulfilled potential.

At one time, the mantra "all means all" was taken at face value. Today when we hear all means all, we can't help but wonder who is left out. Yet, the promise of education reform will only be fulfilled when schools really do work for all students. *Every Single Student* is designed to help bridge the gap between what is possible for some and what is possible for all. Thinking in terms of "every, single student," means you won't ever have to ask if "all" really means *all.*

The PEER Project at the Federation for Children with Special Needs is pleased and excited to share with you *Every Single Student: A PEER Resource Manual on Standards-Based Education and Students with Disabilities.* It covers a broad range of topics relevant to the education of students with disabilities in today's schools.

Every Single Student contains the following sections:

Standards

"Raising Standards of Learning: Standards-Based Education and Students with Disabilities" introduces some of the key ideas behind standards-based education reform efforts. It describes the role of standards in improving education and how participation in state standards and the general education curriculum can increase educational opportunities for children with disabilities.

Curriculum and Instruction

"Curriculum and Instruction: Key Strategies to Promote Equity and Excellence" answers the "essential questions, "How must curriculum and instruction be designed so that all students belong and achieve to the same high standards?" and "What role can parents play in promoting curriculum and instruction that supports equity and excellence for not only their child, but for their school district?"

Accommodations

In an effort to assist educators, parents, and policymakers as they move toward full participation of students with disabilities in state and districtwide assessment programs, the PEER Project compiled "Accommodations: Examples from State Assessment Policies." The list was drawn primarily from a review of state policy documents developed by the 47 states currently administering state assessment programs.

Assessment

In "Assessment: A Key Component of Education Reform," issues of results-based accountability, participation in assessments, and accommodations are discussed. This section includes an action plan for assessment to help parents proactively address the issues of accountability for the learning of all students.

"Statewide Assessment: Policy Issues, Questions, and Strategies" discusses the policy implications of participation of students with disabilities in assessment, the stakes of assessment, the types of accommodations that are available, and how test results will be used. It also includes a checklist, "Making an Impact: Strategies for improving your state's assessment policy."

Legal Basis for Including Students with Disabilities in Education Reform

"Participation of Students with Disabilities in Education Reform: The Legal Basis" provides an overview of the federal laws which mandate the inclusion of students with disabilities in education reform initiatives. Key provisions in IDEA, Goals 2000, Section 504, the ADA, and Title I are highlighted.

Opportunity to Learn

"Opportunity to Learn and Education Reform: Ensuring Access to Effective Education for All Students" discusses "opportunity-to-learn requirements," another key component of standards-based education reform. Standards and assessment can bring about meaningful educational change only if combined with requirements that ensure ALL students' access to learning and to the kind of learning opportunities they need to reach the standards being measured.

Section 504, the ADA, and Education Reform

"Section 504, the Americans with Disabilities Act, and Education Reform" examines how Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) should work to ensure that students with disabilities enjoy the benefits of these reforms, and the quality education for which they aim.

IDEA

"IDEA 1997: Improving the Education of Students with Disabilities in an Era of Education Reform" highlights the specific features of the *Individuals with Disabilities Education Act Amendments of 1997* (IDEA) that relate to education reform. The new amendments add clear and powerful new requirements that parents, educators, and

advocates can use to make sure that students with disabilities benefit from education reform efforts.

Title I

"Title I: Tools for Ensuring Quality Educational Opportunities" presents an overview of programs under Title I of the Elementary and Secondary Education Act, as ameded, assessment, accountability and improvement, and parent involvement at the state, district, and school levels.

Transition

"Transition in an Era of Education Reform" explores the need to rethink the process of "transition" of students with disabilities from high school to post-secondary and other post-school activities. Transition has become a separate, post-school planning process for some students with disabilities, one that can work at cross purposes with the goals of school reform. Suggestions for how transition can be structured to support students' with disabilities participation in standards-based education reform are set forth.

Positive Behavioral Supports

When the *Individuals with Disabilities Education Act* (IDEA) was amended in 1997, key provisions related to positive behavior support were enacted. "Positive Behavior Supports and Functional Assessment of Behavior" discusses these provisions which represent a significant shift in the approach to students with challenging behaviors.

Parent Participation

Many parents believe that attending to special education laws is all that is necessary to ensure that their children receive a good education. "Parent Participation: Crucial to Education Reform" offers reasons why parents should participate in general education reform today and how they can take advantage of new opportunities school reform presents for their children.

Site Visits

"Site Visits: Seeing Schools in Action" is based on materials the PEER Project developed to guide teams of parents and professionals in conducting site visits to schools. PEER developed a series of guiding questions, an overall protocol for conducting the visit and for post-visit debriefing, and information on site-visit etiquette.

Design of the Resource Manual

This *Manual* provides powerful tools in the form of ideas, information about laws, action steps, policy questions, and classroom strategies. It is designed primarily for parents of children with disabilities, although others who have a concern for quality education for students with disabilities may find the documents in this *Manual* useful.

Every Single Student is divided into 13 topical sections. Most sections contain a *PEER Information Brief* and a **PEER Fact Sheet.** Wherever possible, the documents provide ideas and tools parents and other interested people can use to build upon their efforts to improve education for children individually and in program and policy development.

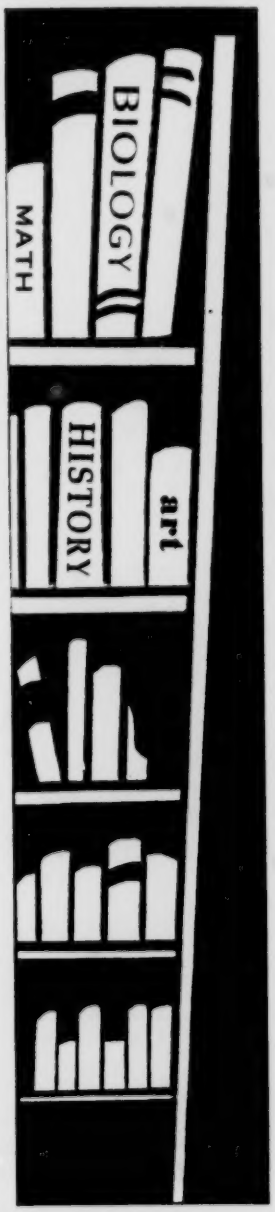
PEER Information Briefs are intended for parent trainers or parents who have some understanding of education reform issues and prefer a more in-depth treatment of the topic.

PEER Fact Sheets, based on the *PEER Information Briefs,* are ideal for disseminating to parents who have little or no knowledge of the topical area.

The format and content of these documents also make them ideal for supplementing existing workshops or as a basis for new training workshops.

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs



Raising Standards of Learning

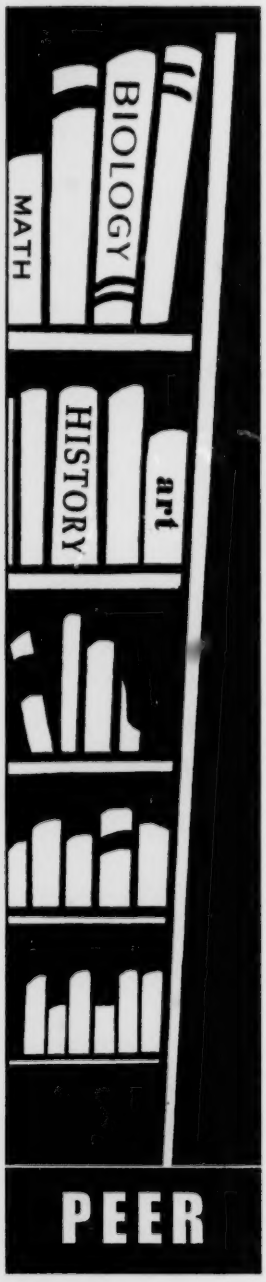
Students with Disabilities and Standards-Based Education

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

Raising Standards of Learning

Students with Disabilities and Standards-Based Education

prepared by Janet R. Vohs, Julia K. Landau, J.D., & Carolyn A. Romano, J.D.



This *PEER Information Brief* is about standards-based education reform and students with disabilities. Its purpose is to give parents of children with disabilities an introduction to some of the key ideas behind standards-based education reform efforts. It describes the role of standards in improving education and how participation in state standards and the general education curriculum can increase educational opportunities for children with disabilities.

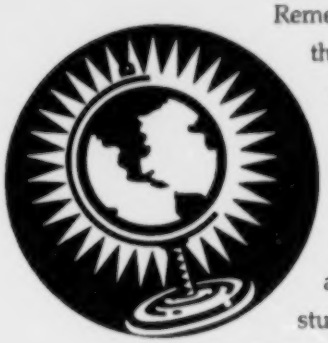
It may seem at first that general education reform efforts have little to do with students with disabilities. After all, parents and their organizations have pushed for and won tremendous advances in education for children with disabilities over the past 25 years. Most parents of children with disabilities have come to rely on state and federal special education laws for guarantees that their children with disabilities will receive an appropriate education. For years, these laws have detailed the steps that must be taken to develop a child's Individualized Education Program, including rules for parent participation and the requirement that, to the maximum extent appropriate, a child with a disability be educated along with his or her nondisabled peers in the regular classroom, with appropriate supplementary aids and services. Yet, with national attention focused on reforming education for all students, it is critical now that issues for students with disabilities be included in the reform agenda. Therefore, this *PEER Information Brief* provides ideas and tools that parents can use to continue to build upon their efforts to improve education for children individually and in program and policy development.

Peer Information Briefs are written primarily for parents of students with disabilities, although others who have a concern for quality education for students with disabilities may also find them useful.

Understanding Standards

To begin to make sense of standards, assessment, and other aspects of education reform, parents must first believe, absolutely and without apology, that their children with disabilities have a right to a *quality* education.

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999



Remember, it was not until the passage of the *Education for All Handicapped Children Act* (now known as IDEA) was enacted in 1975[1] that students with disabilities had a comprehensive statutory right to an education. Before that important victory, access to formal education for many students with disabilities depended upon charity or upon the whims of local or state legislative initiatives. For students with disabilities, education was the privilege of a fortunate few, not a right. While compulsory attendance laws required all other children to attend school, the schoolhouse door could legally be closed to children with disabilities.

Since 1975, there has been great progress in the education of students with disabilities. Today, the right of children with even the most significant disabilities to an education has been upheld by the courts. But *access* to the schools and classrooms, even to specific therapies and treatments, is not always the same as access to a *quality* education. And today, parents of children with disabilities are beginning to shift their attention from issues of access to issues of quality.

In 1983, the entire nation turned its attention to the quality of education when *A Nation at Risk* was published. The country was shocked to learn that education in general was not preparing students to meet the demands of modern society. Special education, although less than 10 years old, was not immune from criticism either. Yes, the wholesale institutionalization and discrimination of the 1970s had ceased, but many students with disabilities were — and continue to be — excluded from regular education's offerings altogether or given a watered-down curriculum. Consequently, students with disabilities continue to be far less likely than their nondisabled peers to graduate from high school, to participate in post-secondary education, or to be employed after their school years.[2] Clearly, further reform in special education was urgently needed as well.

Most recently, Congress responded to the need for reform in special education with the *Individuals with Disabilities Education Act Amendments of 1997 (IDEA)*. Congress amended the law to explicitly require states to establish goals for the performance of children with disabilities that are consistent with other goals and standards set for children by the states. In its introductory comments to one section of the new law, Congress emphasized that the changes to IDEA were based on decades of sound research and experience:

> Research, demonstration, and practice over the past 20 years in special education and related disciplines have . . . demonstrated that an effective educational system now and in the future must …
> (A) *maintain high academic standards and clear performance goals* for children with disabilities, *consistent with the standards and expectations for all students* in the educational system, and *provide for appropriate and effective strategies and*

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

[1] *The Education for All Handicapped Children Act* (EHA), also referred to as P.L. 94-142, is both a civil rights law (barring exclusion of children with disabilities from school) and an education law. Today this law is called the *Individuals with Disabilities Education Act* (IDEA).

[2] Senate Report to accompany S.717, *Individuals with Disabilities Education Act Amendments of 1997*, Sec. V, p. 5.

BEST COPY AVAILABLE

> *methods to ensure that students who are children with disabilities have maximum opportunities to achieve those standards and goals;*
> (B) create a system that fully addresses the needs of all students, including children with disabilities by *addressing the needs of children with disabilities in carrying out educational reform activities.*[3]
> [Emphasis added.]

In addition, IDEA now requires schools to ensure that all students with disabilities be involved in and progress in the general curriculum. Congress stressed the importance of this requirement by emphasizing it on the first page of the introduction (called "Findings") to the new law:

> Over 20 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by . . . having high expectations for such children and ensuring their access in the general curriculum to the maximum extent possible.[4]

Together, the IDEA amendments and education reform efforts provide strategies and tools for improving the quality of education and increasing academic expectations and achievement for all children, with and without disabilities.

A Key Strategy for Reform

Start with Standards

Standards have received much attention in education reform discussions. In fact, the efforts across the nation to improve education by first setting standards is called "standards-based education reform." The report of the Committee on Goals 2000 and the Inclusion of Students with Disabilities describes the purpose of the standards movement as follows:

> This movement seeks to improve educational quality by setting high content standards that define the knowledge and skills that teachers should teach and students should learn, and by holding educators and students accountable for ambitious performance standards that set the expectation for proficiency.[5]

Standards, therefore, are seen as a way to come to a common understanding of what students should be learning and teachers should be teaching in school. The move toward using standards as the beginning point for education is based on several important beliefs. First is the belief that *all* students can achieve to higher levels *if* expectations are set high, *if* standards are clearly defined, and *if* teaching is designed to support the achievement of students. While standards differ greatly from state to state, they share a common purpose: They lay out the essential core of knowledge of what students should be

[3] 20 U.S.C. §1451(a)(5 - 6)(A-B) ("Findings and purpose" to Part D (National Activities to Improve Education of Children with Disabilities) of IDEA.)

[4] 20 U.S.C. §1401(c)(5)(A).

[5] Committee on Goals 2000 and the Inclusion of Students with Disabilities. (1997). McDonnell, L.M., McLaughlin, M.J., & Morison, P. (Eds.) *Educating One & All: Students with Disabilities and Standards-Based Reform.* Washington, D.C.: National Academy Press, p. 1.

BEST COPY AVAILABLE

taught. They also share two other ideas: standards should be high, and they should apply to all students. The intended result of standards-based education is that all students, including students with disabilities, will learn more. The Committee on Goals 2000 and the Inclusion of Students with Disabilities stressed that while most standards-based reforms strive to apply the same high standards to all students, with and without disabilities, "for many students with disabilities, this represents a striking change."[6]

One important change that comes with setting standards is the shift of attention toward the actual *results* of education. In special education, tremendous energy has been devoted to developing IEPs and to securing kinds and amounts of special services or special placements. Little has been done to evaluate the effectiveness of

[6] Committee on Goals 2000 and the Inclusion of Students with Disabilities. (1997). p. 2.

FOUR ESSENTIAL STEPS TO STANDARDS-BASED EDUCATION REFORM

1 **Set the standards.** Standards-based education reform initiatives begin with the setting of standards. With standards, states decide first what every child should learn. Standards are simply statements of what students should know and be able to do as a result of their schooling. Most states have already set standards or are in the process of doing so.

2 **Develop the curriculum.** States or local districts develop specific curriculum based on the standards. The curriculum defines what learning should be accomplished in what grades. The curriculum is a further elaboration of the standards. In some states, standards and curriculum are virtually the same.

3 **Design individual courses and instructional strategies.** School districts, schools, or individual teachers may be responsible for deciding the day-to-day content of courses and instruction, including the materials and methods best suited for their students.

4 **Assess the performance of schools and students.** Assessments based on content and performance standards are an important step toward being able to measure the actual results of education and hold schools accountable for the actual results of schooling.

the education that is provided. Focusing on standards can help to expand the focus to educational results, rather than only on the inputs and process of education. In general education terms, this focus could mean that, rather than judging the success of schools based only on the number of computers, class size, and type of services, schools would be judged based on the actual achievement of students. Of course, simply setting high standards is in itself insufficient. Ensuring that students have the proper support to reach high standards requires high levels of teaching and quality schools. Both high standards *and* high quality schools and teaching are necessary to significantly reform education.

The standards developed by most states focus mainly on academic content in language arts, mathematics, science, and other core academic subjects. They are lists of what the state has decided is most important for students to be taught in each subject area. Many states have also written standards for other life areas such as citizenship, work readiness, and health.

Even within typical subject areas such as reading and math, standards can vary tremendously. Some states have developed broad standards which establish general learning goals. Other states have developed narrow standards which are more specific. The decision about the specificity of standards ultimately reflects the educational philosophy of the decisionmakers. Many groups believe standards should be broad to encourage local creativity and flexibility in meeting the standards. Other groups believe standards should be narrow to the point that teachers know exactly what to teach. It has been suggested that when standards are broad, it is easier to incorporate all learners, including students with disabilities. However, *students with disabilities can be incorporated into any type of standard, broad or narrow.*

An example of a narrow standard in science is: "Students describe the basic processes of photosynthesis and respiration and their importance to life."

An example of a broad standard in science is: "Students . . . will acquire a solid foundation which includes knowledge of . . . characteristics and interactions of living organisms."

Content and Performance Standards

In discussions of standards-based reform, two kinds of standards are usually referred to: content standards and performance standards. These standards are defined in the *Goals 2000: Educate America Act* enacted by Congress in 1994:

- **Content standards** are "broad descriptions of the knowledge and skills students should acquire in a particular subject area."[7] Sometimes content standards are called "curriculum standards," "curriculum frameworks," or "essential learning." They provide guidelines for what schools should teach; they define the overall goals of student learning.

[7] *Goals 2000: Educate America Act*. P.L.103-227, §3(4).

- **Performance standards** are "concrete examples and explicit definitions of what students have to know and be able to do to demonstrate that [they] are proficient in the skills and knowledge framed by the content standards."[8] Performance standards describe how well a student must perform to demonstrate achievement of the content standards. Usually, they indicate how well the student must read, write, calculate, and so on. Performance standards are the link between the content standards and assessment.

[8] *Goals 2000: Educate America Act.* P.L.103-227, §3(9).

Content and Performance Standards for Communication Standards in Writing

from Vermont's Framework of Standards and Learning Opportunities

Content Standard	Performance Standard
1.6 Students' independent writing demonstrates command of appropriate English conventions, including grammar, usage, and mechanics.	**This is evident when students** **PreK-Grade 4** a. Use clear sentences, correct syntax, and grade-appropriate mechanics so that what is written can be easily understood by the reader. **Grades 5-8** aa. Use correct grammar; employ a variety of sentence structures; follow conventional spelling; use correct mechanics; display few errors or patterns of errors, relative to length and complexity; make only intentional, effective departure from conventions. **Grades 9-12** [aa. from above applies.]
1.7 In written responses to literature, students show understanding of reading; connect what has been read to the broader world of ideas, concepts, and issues; and make judgments about the text.	**This is evident when students** **PreK-Grade 4** a. Connect plot/ideas/concepts to experience, including other literature; b. go beyond retelling of plot by reflecting on what is read and making connections to broader ideas, concepts, and issue; and c. Support judgments about what has been read by drawing from experience, other literature, and evidence from the text, including direct quotations. **Grades 5-8** [a. through c. above applies, plus] d. Clearly articulate a point of view, or state a firm judgment about the piece to be discussed; e. Engage the reader effectively and provide closure; and f. Maintain a sense of audience by addressing the reader's possible questions. **Grades 9-12** [a. through f. above applies, plus] g. Establish interpretive claims and support them.

High Standards and Students with Disabilities

> Perhaps our future health and well being of our society and future generations depends on developing every mind that we have. Imagine, for example, what would happen if we viewed every mind as a source of genius. Imagine what our schools might be like if we resolved to offer all students the intellectual and social tools that they need to take on the great issues of our time. Imagine what our classrooms might be like if we began to ensure that every one of our students was equipped to play a role in discovering a cure for AIDS or Alzheimer's disease, negotiating a lasting peace in the Middle East, redesigning our urban and rural communities for environmental safety and economic prosperity, eradicating homelessness in America and starvation in the Sahara, or writing the great symphonies, dramas, or poetry of the twenty-first century.[9]

Standards-based education represents a change in expectations. Instead of expecting students to achieve *minimum* competencies, the standards movement is about setting *high expectations for all students*. Yet, for the most part, students with disabilities have not been considered in the development of high, challenging, world-class standards. Because special education has developed as a separate system, removed from general education, many of the groups that are setting standards consider students with disabilities to be a "special interest group" with little relevance to mainstream education. Often standards-setting groups have not even consulted with people with disabilities, educators, students, or others with relevant expertise.

Parents of students with disabilities are eager to have their children achieve high standards. Yet, because so many students with disabilities have been denied access to the general curriculum and excluded from assessments, parents have questions and concerns about how their children can be included in school reform efforts.

IDEA now provides important direction for schools and parents. The law requires IEP teams to develop concrete strategies for linking IEPs to the general curriculum, which should reflect relevant state standards. Therefore, parents, as members of IEP teams, must be involved in making decisions about their child, the general curriculum, and standards. A child's IEP goals and objectives should be directly related to state standards because these standards are directly linked to the curriculum being used in the child's school.

Standards provide a mechanism to hold schools accountable for the educational progress of students with disabilities. When IEP goals and objectives embody the high standards and results established by education reform, parents can then use the IEP to ensure that the school system provides the special education and related services necessary to achieve those goals and objectives. Improved results for

[9] Wheelock, A. (1992). *Crossing the Tracks*. New York: The New Press, p. 284.

children with disabilities will, in part, be demonstrated by progress made towards IEP goals which incorporate state standards that are reflected in the general curriculum.

Similarly, the requirement in IDEA that students with disabilities be included in state and districtwide assessment programs, with appropriate accommodations where necessary, provides another tool to encourage access to the same standards set for other students. Developed at the state and district level, these assessments are usually aligned with the state standards. Because schools (and districts) are held accountable for the quality of results for all students' performance on the assessments, schools typically develop their curriculum and invest their resources in ways that will help students improve their scores. Now that students with disabilities must be included in these assessments, with appropriate accommodations where necessary, they, too, should benefit from the investment of resources.

The Process for Including Students with Disabilities in State Standards

The *IDEA Amendments of 1997* set forth procedures for IEP teams to ensure that children with disabilities are included in the general curriculum which should reflect state standards, and that they participate in state and districtwide assessments of student achievement.

✓ ***First, the IEP must specify how the child's disability affects his or her involvement and progress in the general curriculum.***

This crucial first step enables all IEP team members to address the specific ways a child's disability impacts his or her ability to learn the specific content standards as set forth in the curriculum for the different subject areas.

✓ ***Next, the IEP team must state what the measurable annual goals, including benchmarks or short-term objectives, are that will meet the child's needs that result from the child's disability and enable the child to be involved in and progress in the general curriculum.***

The IEP team must develop goals and benchmarks or short-term objectives that are directly tied to the general curriculum. Therefore, IEP teams should develop individualized goals and benchmarks or short-term objectives that appropriately reflect the general curriculum and the goals articulated in the state standards.

The IEPs of students with all types and levels of significance of disabilities should reflect general education standards. IEP teams should develop individualized performance standards as necessary and appropriate for an individual child. Of course, many students will require

additional goals (such as independent living or vocational goals) not necessarily referenced to the academic standards. Yet, even work on these goals can usually be accomplished within the context of the general curriculum. No student should be denied the opportunity to participate in the academic life of the school community.[9]

✓ ***The IEP must describe the specific special education and related services, supplementary aids and services, program modifications, or supports for school personnel necessary for the child to be involved in and progress in the general curriculum.***

IEP teams must consider the full range of services, supports, accommodations, and modifications necessary for children with disabilities to progress in meeting a state's education reform standards. The services provided must be directly linked to achievement of the results described in the general curriculum.

When standards are used for the purpose of keeping track of how well schools are educating students, it is important that students with disabilities are included. Standards usually provide a common reference point that can help paint a true picture of how all students perform. Students with disabilities would be expected to demonstrate a range of performance, similar to the range demonstrated by nondisabled students.[10]

Making an Impact — Step by Step

Being part of shaping decisions about standards can help ensure that students with disabilities participate in education reform. Parents can provide valuable contributions and shape discussions and policies around standards and students with disabilities in many ways. Local decisions about standards should be made by a group of stakeholders which include parents, educators, and individuals with disabilities.

Listed below are two strategies parents may use to ensure full participation of children with disabilities in standards.

The first strategy focuses on your child's individualized education program (IEP) while the second focuses on making an impact at the state policy level.

Your Child's Individualized Education Program (IEP)

Step 1

Obtain copies of your state or district standards.

[9] As a field, special education has often paid little attention to the content of the general curriculum. The expectation has been that students with disabilities need a wholly individualized, largely functional, curriculum. The new IDEA requirements now open the door to high academic achievement for many students denied this opportunity in the past.

[10] The *PEER Information Brief:* "Assessment — A Key Component of Education Reform" is available from the PEER Project, Federation for Children with Special Needs, 1135 Tremont Street, Boston, MA 02120; 617-236-7210.

Step 2

Obtain copies of your school's curriculum which will detail how your school plans to meet the standards.

Step 3

Review the standards and curriculum for your child's age group.

Step 4

Review your child's current IEP goals and objectives.

Step 5

Think about any changes in IEP goals, objectives, or benchmarks that are necessary to ensure that your child is involved in and progresses in the general curriculum.

Step 6

Make sure that the IEP team develops new goals and objectives which reflect participation in the general curriculum.

Step 7

Make sure that the IEP specifies any services and supports that are necessary for your child to be involved in and progress in the general curriculum.

State Policy

One

Determine whether your State Department of Education has developed state standards (which may be called curriculum standards, curriculum frameworks, etc.)

Two

Review your state standards to determine whether children with disabilities are specifically included, excluded, or not mentioned.

Three

Make sure that your state includes children with disabilities within the standards developed for general education. Make sure that your state does not try to develop separate standards for groups of children with disabilities.

Four

Find out whether any educators with special education or inclusion expertise, parents of children with disabilities, or individuals with disabilities helped to develop the standards.

Five

Work with your state's Parent Training and Information (PTI) center,[11] Protection and Advocacy (P&A) Organization, Developmental Disabilities (DD) Council, and/or State Advisory Council (SAC) to propose any changes necessary to ensure that your state standards reflect the learning needs of all students, including students with disabilities.

Six

Work with your State Department of Education or local school district to ensure that IEP goals and objectives fully reflect state standards. Consider whether changes to the IEP form developed by the state or district would help IEP teams fully incorporate the state standards.

---

[11] To locate the parent training and information center in your state, call National Information Center for Children and Youth with Disabilities (NICHCY) at 800-695-0285, or visit the Federation's web site www.fcsn.org.

Some Final Words

At first blush, "state standards" may seem unrelated to what is going on in your local school. Education reform may not seem important for your child's education. Yet, as the nation moves further along the path of standards-based education reform, essential questions of quality of educational opportunity are being discussed. It is vital that parents know that state and federal education reform statutes call for high standards for all. Therefore, once states decide on standards-based reform, they must include students with disabilities in the reform agenda. This means that students with disabilities must be given opportunities to participate successfully in standards-based education and to obtain the benefits of standards-based education reform. Parents have a critical role to play in individual, school district, and state decision-making. Decisions about standards — what students need to know and be able to do — are at the core of a wide range of educational decisions and reforms that have a direct impact on all students.

Resources

Barrett, M. and Allen, J. (1996). *The Standards Primer*. Washington, DC: The Center for Education Reform.

Becoming the Best: Standards and Assessment Development in the Great City Schools. (1996, June). Washington, DC: Council of the Great City Schools.

Committee on Goals 2000 and the Inclusion of Students with Disabilities. (1997). *Educating One & All: Students with Disabilities and Standards-Based Reform*. McDonnell, L.M., McLaughlin, M.J., & Morison, P. (Eds.) Washington, DC: National Academy Press.

Cross-Cutting Issues of Standards-Based Education Reform: A Report of a Standards Workshop. (1996). Education Commission of the States and the Office of the Governor of Colorado, Roy Romer. Denver, Colorado: Education Commission of the States.

Edgar, Eugene. (1997). School Reform, Special Education, and Democracy. *Remedial and Special Education*, 18, (6), 323-325.

Elliott, J.L. and Thurlow, M.L. (1997). *Opening the Door to Educational Reform: Understanding Standards*. Co-published by National Center on Educational Outcomes* (NCEO), Minneapolis, MN and Federation for Children with Special Needs, Boston, MA.

Gandal, M. (1997). *Making Standards Matter*. Washington, DC: American Federation of Teachers.

Lipsky, D.K. and Gartner, A. (1997). *Inclusion and School Reform: Transforming America's Classrooms*. Baltimore, MD: Paul H. Brookes.

McLaughlin, M.W., Shepard, L.A., with O'Doy, J.A. (1995). *Improving Education Through Standards-Based Reform*. A report by the National Academy of Education Panel on Standards-Based Reform, Stanford, CA: National Academy of Education.

National Commission on Excellence in Education. (1983). *A Nation at Risk*. Washington, DC: U.S. Government Printing Office.

Parental Satisfaction with Schools and the Need for Standards. (1992). Washington, DC: Office of Educational Research and Improvement, U.S. Department of Education.

Raising Standards for American Education. (1992). National Council on Education Standards and Testing. Washington, DC: U.S. Government Printing Office.

Reaching for New Standards: The Teacher's Perspective. (1992). Washington, DC: American Association for Higher Education.

Shriner, J. and Sparde, G. (1994). National Education Standards and Students with Disabilities. *Coalition Quarterly,* 11, (3), 18-20. Boston, MA: Federation for Children with Special Needs.

Shriner, J.G., Ysseldyke, J.E., and Thurlow, M.L (1994). Standards for All American Students. *In Focus on Exceptional Children,* 26, (5), 1-16.

Students with Disabilities & Educational Standards: Recommendations for policy and practice. (1994). Minneapolis, MN: National Center on Educational Outcomes.

Vermont Department of Education (1992). *The Vermont Common Core of Learning: Education for the 21st Century.* Montpelier, VT.

Video: Lipsky, D.K. and Gartner, A. (1998 VHS, 40 minutes). *Standards and Inclusion: Can we have both?* New York: National Professional Resources.

Wheelock, A. (1992). *Crossing the Tracks: How "untracking" can save America's schools.* New York: The New Press.

The PEER Project is grateful to Martha Thurlow from the National Center on Educational Outcomes (NCEO) for her comments and contributions to this *Information Brief.*

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

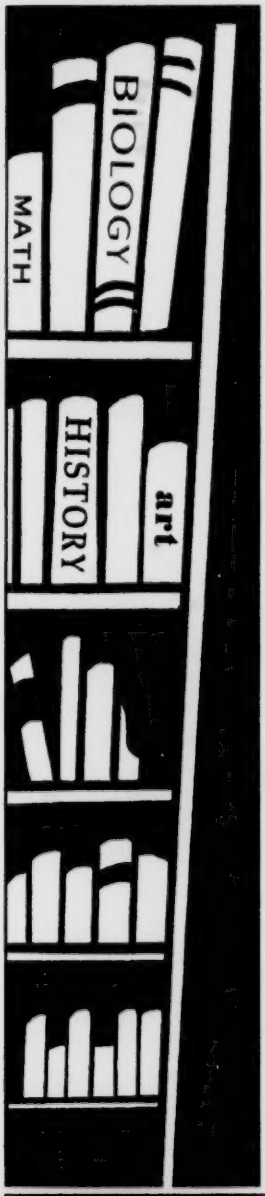
* The NCEO was established in 1990 to provide national leadership in the identification of outcomes and indicators to monitor educational results for all students, including students with disabilities. NCEO addresses the participation of students with disabilities in national and state assessments, standards-setting efforts, and graduation requirements.

NCEO offers a variety of materials and services for state personnel, educators, parents, and others concerned with the education outcomes of students with disabilities. To receive a copy of the NCEO publications list, please contact NCEO at:

National Center on Educational Outcomes
University of Minnesota
350 Elliott Hall
75 East River Road
Minneapolis, MN 55455
612/624-8561 • Fax: 612/624-0879
http://www.coled.umn.edu/nceo

PEER Fact Sheet

Standards Fact Sheet



Standards-based education reform efforts, together with the *Individuals with Disabilities Education Act Amendments of 1997* (IDEA-97), provide important tools and strategies for improving the quality of education and increasing academic expectations and achievement for students with disabilities.

"Standards-based education reform" is the term used to describe efforts across the nation to improve education by first setting standards. Standards are seen as a way to raise student achievement by specifying what students should be learning and what teachers should be teaching in schools. The goal of standards-based education is to make sure that all students, including students with disabilities, learn more.

Standards place the focus on educational results, so that schools are judged based on the actual achievement of students. Standards provide another tool parents can use to hold schools accountable. Both high standards and high quality schools are required to successfully reform schools.

Education reform strategies were developed to respond to concerns that our nation's regular and special education system was failing to prepare students to adequately meet the demands of modern society. In IDEA-97, Congress emphasized the importance of raising expectations and academic standards for children with disabilities. The 1997 amendments stress the importance of coordinating special education with education reform activities and ensuring that students with disabilities have access to the general curriculum.

In discussions of standards-based reform, two kinds of standards are usually referred to:

Content Standards provide general descriptions of what students should know and learn in different subjects such as language arts, mathematics, science, and other core academic subjects. Some states also have written standards for other important areas such as citizenship, health, and the arts.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs ©1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

Performance Standards provide concrete examples and descriptions of how well students must perform in different subject areas to show that they have obtained the skills and knowledge described by the content standard (i.e., how well students must read, write, or calculate). Performance standards are the link between the content standards and assessment.

☑ Four essential steps to standards-based education reform:

1. Set the standards.

With standards, states decide first what every child should learn. Standards are statements of what students should know and be able to do as a result of their schooling.

2. Develop the curriculum.

States or local districts develop specific curriculum based on the standards. Curriculum describes what learning should be accomplished in specific grades. In some states, standards and curriculum are virtually the same.

3. Design individual courses and instructional strategies.

Individual schools and teachers decide on the day-to-day content of courses and instruction and choose appropriate materials and methods.

4. Assess the performance of schools and students.

Assessments based on the standards are used to measure the actual results of education and hold schools accountable for results and achievement.

☑ Participation of students with disabilities in standards-based education reform

The standards movement is about setting high expectations for all students. Yet because so many students with disabilities have been denied access to the general curriculum and excluded from assessment, there are questions and concerns about how they can be successfully included in education reform efforts.

IDEA-97 is a powerful tool to help ensure that children with disabilities have access to the same high standards and expectations that are set forth for other students. The law requires Individualized Education Program (IEP) teams to link IEP goals and objectives to the general curriculum, which should reflect the state's standards. When IEP goals and objectives reflect the standards and outcomes established through education reform, parents can then use the IEP to ensure that the school system provides the special education and related services a student needs to achieve those goals and objectives.

Standards provide a mechanism to hold schools accountable for the educational progress of students with disabilities. Measuring progress toward IEP goals which incorporate state standards and reflect the general curriculum is a way to demonstrate improved results. Parents, as members of IEP teams, need to be involved in making decisions about their child, the general curriculum, and standards.

The requirement in IDEA to include students with disabilities in state and districtwide assessment programs provides another tool to promote access to the same standards set for other students. Schools are held accountable for student performance on these assessments. Consequently, schools typically develop their curriculum and invest their resources in ways that will help students improve their scores. Now that students with disabilities must be included in these assessments, they, too, can benefit from the investment of resources.

☑ Required IEP steps to ensure that children with disabilities are included in state standards through accessing to the general curriculum

Step 1 First, the IEP must state how the child's disability affects the child's involvement and progress in the *general* curriculum.

Step 2 Next, the IEP team must include a statement of measurable annual goals, including benchmarks or short-term objectives, related to meeting the child's needs that result from the child's disability and allow the child to be involved in and progress in the general curriculum.

The IEPs of students with all types and significance of disabilities should reflect general education standards. No students should be denied the opportunity to participate in the academic life of the school community. At the same time, some students may require additional goals (such as independent living or vocational goals) not necessarily referenced to academic standards.

Step 3 The IEP must include a statement of the specific special education and related services, supplementary aids and services, program modifications, or supports for school personnel necessary for the child to be involved in and progress in the general curriculum.

State or district Standards

are the basis for

General Curriculum

which is the framework for the

IEP Goals and Objectives

which call for

Special Education and Related Services Necessary to Achieve Goals and Objectives

☑ Other steps to ensure full participation of children with disabilities in state standards

Being part of making decisions about standards can help ensure that students with disabilities participate in education reform. Parents can provide valuable contributions that shape discussions and policies around standards and students with disabilities in many ways.

Local decisions about standards should be made by a group of stake-holders which includes parents, educators, and individuals with disabilities.

Listed below are two strategies parents may

wish to use to ensure full participation of children with disabilities in standards.

The first strategy focuses on your child's individualized education program (IEP) while the second focuses on making an impact at the state policy level.

Your Child's IEP

Step 1 Obtain copies of your state or district standards.

Step 2 Obtain copies of your school's curriculum and determine the extent to which the curriculum reflects the state standards.

Step 3 Review the standards and curriculum for your child's age group.

Step 4 Review your child's current IEP goals and objectives or benchmarks.

Step 5 Think about any changes in IEP goals and objectives or benchmarks that are necessary to ensure that your child is involved in and progresses in the general curriculum.

Step 6 Make sure that the IEP team develops new goals and objectives which reflect participation in the general curriculum.

Step 7 Make sure that the IEP specifies any services and supports that are necessary for your child to be involved in and progress in the general curriculum.

State Policy

One Determine whether your State Department of Education has developed state standards (which may be called curriculum standards, curriculum frameworks, etc.).

Two Review your state standards to determine whether children with disabilities are specifically included, excluded, or not mentioned.

Three Make sure that your state includes children with disabilities within the standards developed for general education. Make sure that your state does not try to develop separate standards for groups of children with disabilities.

Four Find out whether any educators with special education or inclusion expertise, parents of children with disabilities, or individuals with disabilities helped to develop the standards.

Five Work with your state's Parent Training and Information (PTI) center, Protection and Advocacy (P&A) Organization, Developmental Disabilities (DD) Council, and/or State Advisory Council (SAC) to propose any changes necessary to ensure that your state standards reflect the learning needs of all students, including students with disabilities.

Six Work with your State Department of Education or local school district to ensure that IEP goals and objectives fully reflect the general curriculum and state standards. Consider whether changes to the IEP form developed by the state or district would help IEP teams fully incorporate the general curriculum and state standards.

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Raising Standards of Learning: Students with Disabilities and Standards-Based Education" by Janet R. Vohs, Julia K. Landau, J.D., and Carolyn A. Romano, J.D.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Project

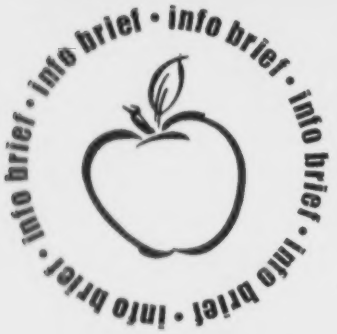
Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Curriculum and Instruction

Key Strategies to Promote Equity and Excellence

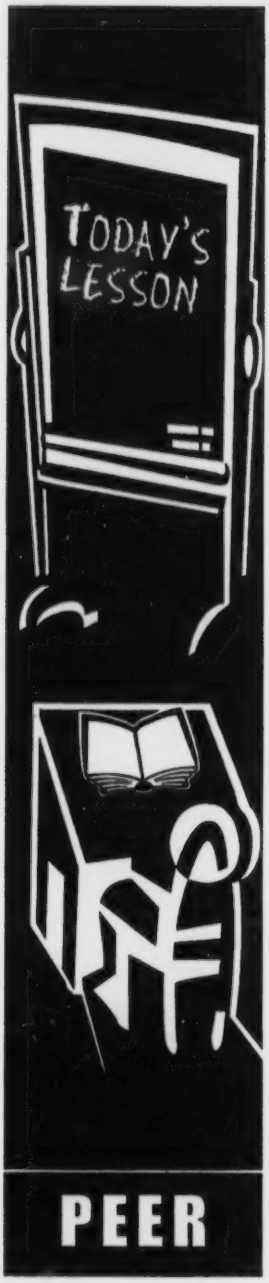
The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE



Curriculum and Instruction
Key Strategies to Promote Equity and Excellence

prepared by Cheryl M. Jorgensen, Ph.D.
Institute on Disability, University of New Hampshire



A Tale of Two Classrooms

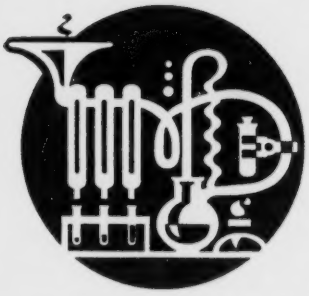
In Ms. Mendoza's chemistry class, tenth-grade students are working on a unit that focuses on balancing equations. She begins each class period by having students take out the homework from the night before. She reads off the answers to twenty problems and goes over those that caused several students difficulty. Using an overhead projector, Ms. Mendoza teaches the lesson of the day as students take notes. The class is very quiet except for an occasional question from a student confused about some aspect of the concept being taught. Under Ms. Mendoza's direction, the class works through a couple of new sample problems together. With fifteen minutes left in the class, the next homework assignment is given and students begin to work on it until the end of the period. Over the course of the year the students progress through the textbook from beginning to end. Because this is an "honors" chemistry class, no students with significant learning challenges are enrolled. Despite the school's location in an urban area, all but one of the students are Caucasian.

In another school, Mr. Gordon's tenth-grade science classroom looks very different. At the beginning of class, Mr. Gordon rolls a book cart into the room and describes the unit the students are about to start:

> For the next couple of weeks we are going to be working together to answer the question 'How can you tell if something is living?' by studying cell structure and function. I've got lots of resources here including my old college chemistry book, videos, computer simulation programs, pop-up picture books, plastic models, scientific journals, and high school textbooks representing a variety of reading levels. I know that each of you has a favorite learning style but you will probably need to use several

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999



of these resources. We are going to use a cooperative learning jigsaw structure to learn about the six major functions of living organisms, and working in small groups, you'll be doing a final exhibition that illustrates your answer to the essential question. Right now I'd like you to organize yourselves into six groups, elect a secretary, and brainstorm some of your initial ideas about the answer to the question, 'How can you tell if something is living?' Go!

Not only is this class — also located in an urban school — racially heterogeneous, but it includes students who experience a variety of learning abilities, including honors students, students with disabilities, and children whose primary language is not English.

Which classroom is the "better" learning environment for a diverse group of students? Would students from the "honors" class be challenged in the second classroom? What is the relevance of cell structure and function for a young man with Down syndrome, for example? What kinds of beliefs and skills does the second teacher possess?

States must ensure that students with disabilities are involved and progress in the general curriculum and receive appropriate accommodations and modifications to address their unique needs arising from their disability. States must then assess the progress of children by establishing performance goals and indicators. These mutually reinforcing provisions of the 1997 amendments to the *Individuals with Disabilities Education Act* (IDEA)[1] strengthen the law's requirement that children with disabilities have full and meaningful access to the same content and high standards that apply to children without disabilities. The new amendments to IDEA reinforce the message that past practices of segregating students with disabilities into separate classrooms to learn a watered-down curriculum or to focus only on functional skills in isolation are no longer acceptable.

For parents and educators who value both equity and excellence — not only access to the mainstream but support to reach high standards — essential questions might be:

"How must curriculum and instruction be designed so that all students belong and achieve to the same high standards?"

"What role can parents play in promoting curriculum and instruction that supports equity and excellence for not only their child, but for their school district?"

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

An Historical View of Curriculum

To answer these questions, we must begin with an understanding of how educational philosophy has evolved over the past 30 years, especially with regard to the view that curriculum for students with and without disabilities has been treated as

[1] IDEA is the federal law that guarantees a free appropriate public education to all eligible children with disabilities in mandatory age ranges, residing in states and jurisdictions receiving IDEA funds.

inherently different. Since the 1960s, our thinking about curriculum and instruction has passed through four distinct stages (although one can still find examples of all four stages in many of today's schools).[2]

Stage 1

Students with disabilities need specialized curriculum and instruction in a special education classroom.

Many different kinds of special education classrooms are examples of this philosophy of curriculum and instruction. You might observe students with disabilities in a self-contained classroom working on a specialized reading program, sitting in a circle with a speech-language pathologist practicing communication skills, pretending to shop for food items in a section of the class set up to look like a grocery story, or learning to balance a checkbook. High schools that offer English or mathematics instruction in "resource classes" still operate on the belief that students with disabilities need to learn together with other students who have disabilities, using a special curriculum based on separate standards.

Stage 2

Students with disabilities need specialized curriculum and instruction, but in a general education classroom.

As a result of early mainstreaming efforts, teachers and parents noticed that students with disabilities who spent time with students *without* disabilities made gains in their social skills and picked up academic knowledge that surpassed many people's expectations. This experience led to more integration of students with disabilities into general education classrooms, but students were still working on specialized curricula based on separate standards. In a math class at this stage, you might see most students using graphing calculators while a student with disabilities puts together a picture shopping list. In a science class where students are doing a dissection lab, a student with disabilities might be washing dissecting instruments in the back of the room. Or a student with disabilities might be included in an English class but not be required to do any reading or writing because the goal is "socialization."

In schools that subscribe to the beliefs that underlie this stage of curriculum thinking, students are probably clustered into "ability" groups.[3] In elementary schools this means that there is "within-class grouping" (remember the "bluebirds," "robins," and "cardinals" sitting in different parts of the classroom?) for reading and mathematics. In middle and high schools this means that students with disabilities are clustered into the lower general education tracks or levels, but they go into selected general education classes a period or two each day.

[2] S. Shapiro-Barnard, personal communication, September 1, 1996.

[3] Ability grouping refers to the practice of clustering students together who demonstrate comparable skills in one particular area or who achieve a similar score on a particular achievement or placement test.

Stage 3

Students with disabilities can benefit from the general education curriculum in the general education classroom, with individualized modifications and supports.

In many schools that have embraced the values and benefits of inclusion for students with disabilities, students are full-time members of general education classes, and the general education curriculum — the learning standards, the materials, the homework, and other learning products that students are expected to produce — is modified for students with disabilities. In a second-grade class at this stage, most students might be working on a common 20-word spelling list, but one student with significant disabilities might have her own five-word list. In a fourth-grade class where students are required to do a written report on New Hampshire history, a student with disabilities might be allowed to put together a collage of historic state buildings and personalities. In a high school science class where most students would be required to write a lab report, a student with learning disabilities might be allowed to tape record the report or dictate it to a teaching assistant. The curriculum is still designed by general education teachers for the "average" student, but modifications are readily made for some students.[4]

[4] The Filbin and Kronberg publication listed in the Resources section contains examples of modifications and personalized learning objectives for many different subject areas.

Stage 4

Curriculum and instruction are designed "right from the start" to include and challenge all students in heterogeneous, general education classrooms.

And finally, in schools where inclusion initiatives have joined together with broader efforts to reform and restructure all parts of the educational system, teachers are designing units and lessons with student diversity in mind — "right from the start," so to speak. In this kind of school, you would see teachers providing a variety of source materials on a common topic or theme; students would be coached to demonstrate their knowledge using their favored learning style or "intelligence;" student work would be evaluated relative to a common standard of quality; and grading would be based on individualized expectations and growth over time. Teachers would use many different teaching methods, including phonics, cooperative learning, problem-based learning, and the "reading and writing process." Teachers would use these varied approaches throughout the weeks and months, varying their approach and grouping and re-grouping students frequently.

Special education teachers would work collaboratively with general education teachers to design curriculum and select instructional practices. They would be in the classroom most of the time teaching large and small groups of students and would spend some time in a learning center providing one-to-one tutoring for specific skills. Modifications would only

be necessary for those students who need greatly adjusted expectations or who use unique communication systems or other technology.

In these Stage 4 schools *challenge* and *individualization* are inseparable in the minds of teachers. Because the curriculum is organized in thematic units framed with broadly stated "essential questions" or problem statements, each student in the class can answer the questions in ways that are most meaningful for him or her. Students can start the year doing work in a comfortable learning style — whether it is writing, building, speaking, demonstrating — and then be coached to "stretch their comfortable limits" into other modes of expression (Souhegan High School Mission Statement, Amherst, New Hampshire, 1992). The "honors" student and the student with Down syndrome (who might be one and the same) would be able to approach the question from different perspectives, learn different content, and still be held accountable for many of the same skills.

Clearly, teachers and schools at Stage 4 hold a very different set of beliefs from those held by traditional schools, and those beliefs are directly reflected in how curricula and instruction are designed. These beliefs (Onosko & Jorgensen, 1997) include:

1. All students have value and unique gifts to offer their school.
2. All students can think and learn.
3. Diversity is to be embraced and celebrated.
4. Effective teaching for students with disabilities is good teaching for all students.
5. Students learn best when studying interesting and challenging topics that they find personally meaningful.
6. Students learn best when they are actively and collaboratively learning with their classmates and their teacher.
7. Students differ in the ways that they most effectively learn and show what they know.

In addition, Stage 4 schools believe that schools should be held accountable for *all* children achieving to high standards. Based on these beliefs, curricula, instruction, and standards in Stage 4 schools differ dramatically from those in schools whose personnel do not share these beliefs. Table 1 on page 6 displays the characteristics of curricula that challenge and value all students.

The Endangered Species Board Game:
An Example of Challenging and Inclusive Curriculum

The Endangered Species Board Game, developed by Mark Pellegrino and his colleagues at Gananda Central Senior High School in Walworth, New York, has most of the elements of challenging, inclusive curriculum design (Jorgensen, 1997).

(continued on page 7)

Table 1: Characteristics of Curriculum and Instruction Developed to Challenge and Include All

Standards

- A common core of learning standards has been set that applies to all students.
- Performance criteria are personalized for each student.
- Learning standards are expressed in terms that promote the highest levels of expectation and achievement for each student.
- Learning standards promote each student's entry into post-secondary education, typical jobs, active citizenship, and community membership.

Thematic Curriculum

- Provocative "real world" subject matter is chosen that appeals to the interests of all students.
- Major units of study are framed with "essential questions," problem statements, or compelling issues that apply to all students.
- The interconnectedness of knowledge is evident in the design of interdisciplinary units.

Learning Opportunities and Instructional Design

- Students are given choices in the learning resources they use, project topics, and group membership.
- A variety of learning materials are available in different formats and at different reading levels that match students' interests and learning styles.
- Learning activities are structured so that students progress from identifying, classifying, and defining knowledge to synthesizing, judging, and hypothesizing.

Learning Opportunities and Instructional Design (continued)

- Small groups and cooperative learning structures are frequently used.
- Teaching and learning occur both inside the school building and in a variety of community environments.
- The primary work of learning is accomplished by students actively thinking, speculating, researching, debating, discussing, and responding rather than by teachers lecturing.
- Modifications and adaptations — particularly learning and communication technology — are available for any student who needs them.

Demonstration of Learning

- Options are given for how students demonstrate what they know and can do. Students are encouraged to progress from using comfortable styles of demonstration to those that are personally challenging.

Evaluation and Grading

- Evaluation consists primarily of conversations with (and among) students about the quality of their work relative to common standards and individualized student progress.
- Students with disabilities should be included in state and districtwide assessments with whatever accommodations are necessary for them to demonstrate what they know and are able to do.

This game is a good example of an inclusive instructional strategy that supports both equity and excellence. Students find it challenging, fun and relevant. It offers opportunities for students to collaborate, taps into a variety of learning styles, and provides choices for how students can demonstrate what they know. The evaluation is rigorous.

So What's a Parent to Do?

Some parents live in school districts where curriculum and instruction exemplified by the Endangered Species Board Game are common fare. For others, reading this paper probably stirs feelings of frustration and raises the question "How can I get *my* child's school to do this?"

Parent involvement in curriculum reform can occur on two levels. On the personal level, parents can advocate for inclusive and creative learning experiences for their child who has a disability or unique learning style. In addition, parents can advocate for systemic reform by joining with other parents and educators to promote broad-based curriculum reform at the school or district level. Suggestions for how parents can get involved at both levels begin below.

The Endangered Species Board Game

This unit is appropriate for middle or high school students. Students are assigned to work in cooperative groups to design an educational board game to teach younger children about endangered species. Students first spend a week researching organisms that are considered endangered species in their state. Each team of students must answer a number of questions through their research: What are the characteristics of the organism? What adaptations does it possess that enable it to be successful? What is its natural habitat? What environmental factors have led the species to become endangered? What recommendations would you make to promote the species' health and propagation? The teacher guides each group's research and teaches mini-lessons on research skills. A panel of outside experts — representing the Sierra Club and industrial developers — comes to class to debate economic and environmental issues.

Students are given art supplies and shirt-size gift boxes in which to make their game. Computer games are also an option for the programming whizzes in the class! Each team must design and build the game, write an instruction sheet, and give a five-minute presentation to the class showing how the game answers the research questions and will result in new learning for students who play it.

The final step in this unit is the evaluation. The teacher and other students in the class will score the game according to an evaluation rubric. But here's the element of the unit that takes it to another level of quality. All of the games will actually be played by younger students who will rate the game according to its "fun" factor as well as its ability to teach them about the endangered species.

Advocating for Your Child

One

Your child's IEP should address the following considerations:

- How your child's disability affects your child's involvement and progress in the general curriculum; and
- How your child's needs that result from your child's disability are being addressed to enable your child to be involved and progress in the general curriculum.

Begin with the general education curriculum offered to all students as the starting

point for developing your child's IEP. If your child is 9, for example, find out what the other third or fourth graders are learning by getting a copy of the curriculum and the standards. Use the general curriculum as the basis for your child's IEP goals and objectives. Typically, special education teachers have had little exposure to grade-level content, so do not be surprised if the special education teachers are not familiar with the regular education curriculum. Think of the special education and related services as resources for providing the accommodations, modifications, and supports your child needs to advance appropriately toward attaining the annual goals and to be involved and progress in the general curriculum.

Two

Ask your child's IEP team to arrange for a full and individual evaluation. You may ask that the evaluation include an assessment of your child's learning strengths and weaknesses, including a reading assessment from a qualified teacher. Such an assessment may include a learner profile that describes the kinds of learning activities and teaching styles that promote his or her success, including a learning style inventory or an assessment of multiple intelligences.[5]

[5] Howard Gardner (1983) theorized that there are at least seven kinds of "intelligence" including musical, interpersonal, spatial, linguistic, and kinesthetic. *See* Goldman, J. and Gardner, H. (1997). Multiple Paths to Educational Effectiveness. In D.K. Lipsky and A. Gartner (Eds.) *Inclusion and School Reform* (pp. 353-373) for a description of a multiple-intelligences based assessment.

Three

When participating in the writing of your child's IEP, ask that the IEP team ensure that specific learning conditions are incorporated into the short-term objectives or benchmarks. For example, an objective might be written like this: "In cooperative learning groups, Jessica will write for the the group using her laptop computer." Given such an objective, your child's IEP team would then have the authority to seek out appropriate classroom experiences necessary to implement the IEP goals, objectives, and benchmarks.

Four

When it comes time to choose a teacher or select your child's courses, ask that several general education teachers attend the team meeting to describe their own teaching styles so that a match can be found. (Remember that only one regular education teacher, under certain circumstances, must be a member of the team.) Acknowledge that a variety of teaching styles can be effective with different students but that you are looking for the style that best matches your child's needs. If it is not possible for teachers to attend, ask the leader of the IEP team or appropriate administrator to assign your child to a teacher with experience in one of the teaching styles that best matches your child's learning needs. You might also request an opportunity to interview or observe teachers to identify an appropriate match.

Five

Be sure that the IEP lists all the modifications and supports that the team thinks necessary for your child to be involved and progress in the general curriculum.

Modifications that may be effective for different students include:

- individualizing the amount of work required (e.g., 5 spelling words vs. 20, 10 problems instead of 30);
- personalizing the way that students will show what they know (e.g., multiple choice instead of essay);
- written report instead of an oral presentation; and
- provision of assistive technology (e.g., programming an augmentative communication system with vocabulary from the unit, providing word prediction software to facilitate writing).

Each child's IEP must contain a statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child. The IEP must also include a statement of the program modifications and supports that school personnel need to ensure that the child:

- advances appropriately toward attaining the annual goals,
- is involved and progresses in the general curriculum and participates in extracurricular and other nonacademic activities, and
- is educated and participates with other children with disabilities and nondisabled children in those activities and in the general curriculum.

Six

Insist that your child be included in the state and districtwide assessments, as required by IDEA. Exemption from participation in the assessments often means that students are short-changed by low expectations and less challenging curriculum. If your child needs accommodations to participate in the assessment, appropriate accommodations and individual modifications in the administration of the assessment of student achievement must be determined by the IEP team. All testing accommodations must be listed in your child's IEP and provided to your child. The same modifications and accommodations that are used in the classroom, plus others that may be required to take a particular test, should be available for the child to participate in such assessments.

If your child's IEP team decides that your child cannot participate in general state and districtwide assessment programs, even with appropriate modifications or accommodations, ensure that the IEP team specifies how your child will be assessed with an alternate assessment. Make sure that your child has a full and equal opportunity to demonstrate what he or she knows and is able to do.

Tips for Advocating for Systemic Reform

One

Learn more about the issues of curriculum design, ability grouping and tracking, and effective instruction by reading, talking with other parents and teachers, or auditing a course in the education department of a nearby university.

Two

Contact state or local advocacy or training resources (e.g., Parent Training and Information (PTI) Center,[6] Protection and Advocacy organization, Legal Services agency, University Affiliated Program, State Department of Education). Ask for information about the design of curriculum and instruction to include children with disabilities in your community. Ask for their assistance in working in your school community.

Three

Within almost every school community there are committees and task forces working on various aspects of school reform. Sometimes curriculum committees invite parent representatives to participate. In some communities, schools have a "school improvement council or committee" that includes parents and meets to discuss a variety of educational issues. Join them and invite a local university faculty member to provide curriculum restructuring resources to that committee.

Four

The 1997 amendments to IDEA require states that apply for State Improvement Grants to involve parents in the design of the State plan to improve educational results for children with disabilities. Contact your State Department of Education and request to participate in the plan.

Five

Run for a position on the school board on a platform of equity and excellence for all students, not just students with disabilities.

Six

Offer to help write a grant for your school to provide staff development for teachers on curriculum design for heterogeneous classes. It is an enormous challenge to effectively teach all of the students who walk into today's classrooms. Furthermore, teachers may get far too little professional development or in-class assistance to try new methods. Be part of the solution by procuring training and other resources for your teachers and schools.

Seven

Participate in your school's PTA and join a professional society (e.g., the Association for Supervision and Curriculum Development, TASH, the National Association for the Education of Young Children, the National Parent Teacher Association) as a parent representative. Most of these groups have parent/consumer membership rates. Attend their conferences, read their publications, and bring back materials to share with teachers and administrators.

[6] Every state has at least one Parent Training and Information (PTI) center funded by the U.S. Department of Education. Its purpose is to provide training and information to parents of infants, toddlers, children and youth with disabilities, and to persons who work with these parents, to enable such individuals to participate more effectively with professionals in meeting the early intervention and special educational needs of their children. To find the PTI in your state, call NICHCY (The National Information Center for Children and Youth with Disabilities) at 800-695-0285 or the Technical Assistance Alliance for Parent Centers at 888-248-0822.

Eight

Parents and others advocating for students with disabilities will be reinforced by the new IDEA requirements related to assessment. Now states must have policies and procedures to ensure that children with disabilities are included in state and districtwide assessment programs with appropriate accommodations, where necessary. If your state or district has an assessment program (and most do), investigate the results achieved by students with disabilities. If they are not on a par with typical students, invite someone from your State Department of Education to a school board meeting to discuss strategies for aligning your district's curriculum and instruction more closely with the standards reflected in the assessments.

Advocate for the scores of students with disabilities to be included with the scores of students without disabilities in reports, as required by the new IDEA amendments. Accountability of schools for the learning results of all students is "where the action is" in the school restructuring world. Make sure that efforts to raise scores and improve schools are judged by how well they accomplish those goals for *all* students.

Resources on Curriculum Reform

Publications

Armstrong, T. (1994). *Multiple intelligences in the classroom.* Alexandria, VA: Association for Supervision and Curriculum Development.

Filbin, J. & Kronberg, R. (undated.) *Ideas and suggestions for curricular adaptations at the secondary level.* Denver, CO: Colorado Department of Education.

Gardner, H. (1983). *Frames of mind: The theory of multiple intelligences.* New York: Basic Books.

Goldman, J. & Gardner, H. (1997). Multiple Paths to Educational Excellence. In D.K. Lipsky & A. Gartner (Eds.) *Inclusion and School Reform: Transforming America's Classrooms* (pp. 353-373). Baltimore: Paul H. Brookes.

Johnson, D. & Johnson, R. (1991). *Learning together and alone.* Englewood Cliffs, NJ: Prentice Hall.

Jorgensen, C. (1997). Examples of inclusive curriculum units and lessons. In C. Jorgensen, *Restructuring high schools for all students: Taking inclusion to the next level* (pp. 107-144). Baltimore: Paul H. Brookes.

Onosko, J. & Jorgensen, C. (1997). Unit and lesson planning in the inclusive classroom. In C. Jorgensen, *Restructuring high schools for all students: Taking inclusion to the next level* (pp. 71-105). Baltimore: Paul H. Brookes.

Souhegan High School Mission Statement. (1992). Amherst, NH: Souhegan High School.

Organizations

The Annenberg Foundation
St. Davids Center, Suite A-200
150 Radnor-Chester Road
St. Davids, PA 19087
610-341-9066
www.whannenberg.org

Association for Supervision and Curriculum Development (ASCD)
and the ASCD journal, *Educational Leadership*
1250 N. Pitt Street
Alexandria, VA 22314
703-549-9110 • 800-933-2723
703-299-8631 fax
www.ascd.org

Organizations, cont.

The Coalition of Essential Schools
and its newsletter, *Horace*
Box 1969
Brown University
Providence, RI 02912

National Council of Teachers of English (NCTE)
1111 West Kenyon Road
Urbana, IL 61801
217-328-3870 • 800-369-6283
217-328-9645 fax
www.ncte.org

National Council of Teachers of Mathematics (NCTM)
1906 Association Drive
Reston, VA 20191-1593
703-620-9840
703-476-2970 fax
www.nctm.org

National Science Foundation
4201 Wilson Boulevard
Arlington, VA 22230
703-306-1234
703-306-0090 TDD
www.nsf.gov

© 1999 The Federation for Children with Special Needs, Inc and Jorgensen. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Fact Sheet

Curriculum & Instruction
Fact Sheet

Curriculum and instruction can be designed to make sure that students with disabilities have meaningful opportunities to achieve the high academic standards established for all children. Instead of beginning with a separate curriculum for students with disabilities, educators can design lessons based on the general curriculum and standards.[1] "Right from the start" instruction can be planned to ensure that the general curriculum is accessible and challenging for a diverse group of students.

For the purposes of this paper, the writer uses the following:

Curriculum usually means the content or subject matter — the ideas, skills, and concepts that students are taught in a particular subject area, such as math or language arts. Curriculum describes what students learn.

Instruction generally describes the teaching methods and learning activities that a teacher uses to present the curriculum. A teacher has many different ways to teach students a given topic or unit. Instruction describes how educators teach the curriculum.

☑ What does the law say?

The Individuals with Disabilities Education Act (IDEA) provides that all children with disabilities be appropriately involved in and progress in the general curriculum, and that, to the maximum extent appropriate, children with disabilities must be educated with their nondisabled peers. The law presumes that children with disabilities can learn in regular classrooms with their nondisabled peers. The Individualized Education Program (IEP) must include an explanation of the extent, if any, to which a child will not be educated with his/her nondisabled peers. Generally,

[1] The *PEER Information Brief*, "Raising Standards of Learning: Students with Disabilities and Standards-Based Education" discusses content and performance standards which most states have established as part of standards-based education reform. As used in this PEER Fact Sheet, content standards are general descriptions of the knowledge and skills students should gain in various subject areas. Performance standards are definitions of what students have to know and be able to do to show that they are proficient in the skills and knowledge.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs ©1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

regardless of the educational setting, the child's curriculum and IEP goals and objectives are based on the general curriculum and standards. Research has shown that regular education classrooms can use instructional methods that enable students with all types of disabilities to participate and excel in the general curriculum.[2]

☑ Stages of curriculum and instruction design[3]

Over the past 30 years, the way curriculum is delivered to students with disabilities is generally thought to have evolved through four distinct stages. Schools throughout the country may be at any stage in the process of designing curriculum and instruction to meet the needs of all students.

Stage 1 Students with disabilities receive specialized curriculum and instruction in a special education classroom. *E.g., Students with disabilities in a separate, self-contained classroom work on a specialized reading program or receive resource-room assistance in math.*

Stage 2 Students with disabilities receive specialized curriculum and instruction in a general education classroom. *E.g., In a chemistry lab, a student with disabilities washes test tubes in the back of the room.*

Stage 3 Students with disabilities participate in the general curriculum in regular education classrooms, with individualized accommodations, modifications, and supports. *E.g., In a fourth-grade classroom where students are writing reports on Iowa history, a student with disabilities makes a collage of historic buildings and personalities.*

Stage 4 Students with disabilities participate in the general curriculum in regular education classrooms where a range of instructional strategies are used to address the various needs of students with and without disabilities. Therefore, students with disabilities participate in the general curriculum without individualized accommodations. *E.g., In a tenth-grade science classroom studying cell structure and function, the teacher provides a variety of materials (e.g., text books suitable for a range of reading levels, videos, computer simulation programs, plastic models, and pop-up picture books), uses a variety of teaching methods, and asks students to show their knowledge using their learning style of choice.*

Curriculum and instruction in Stage 4 schools are designed to promote equity and excellence in education. In Stage 4 schools, students with disabilities are able to master skills and content in the general curriculum subject areas. From the onset, a variety of instructional approaches are used to enable all students to meet high standards in different ways. Units and lessons are designed with student diversity in mind.

Clearly, teachers and schools at Stage 4 hold a very different set of beliefs from those held by traditional schools, and those beliefs are directly reflected in how curricula and instruction are designed. These beliefs[4] generally include:

---

[2] McGregor, G. and Vogelsberg, R.T. (1998). *Inclusive Schooling Practices: Pedagogical and Research Foundations.* Baltimore, MD: Paul H. Brookes.

[3] These stages are part of the conceptual framework set forth by the author; they are not included in or required by IDEA.

[4] Onosko, J. & Jorgensen, C. (1997). Unit and lesson planning in the inclusive classroom. In C. Jorgensen, *Restructuring high schools for all students: Taking inclusion to the next level* (pp. 71-105). Baltimore: Paul H. Brookes.

1. All students have value and unique gifts to offer their school.
2. All students can think and learn.
3. Diversity is to be embraced and celebrated.
4. Effective teaching for students with disabilities is good teaching for all students.
5. Students learn best when studying interesting and challenging topics that they find personally meaningful.
6. Students learn best when they are actively and collaboratively learning with their classmates and their teacher.
7. Students differ in the ways that they most effectively learn and show what they know.

In addition, the author characterizes Stage 4 schools as believing that schools should be held accountable for *all* children achieving to high standards. Based on these beliefs, curricula, instruction, and standards in Stage 4 schools differ dramatically from those in schools whose personnel do not share these beliefs. The table at right displays characteristics of curricula developed to challenge and value all students.

Characteristics of Curriculum and Instruction Developed to Challenge and Include All Students

Standards

- A common core of learning standards has been set that applies to all students.
- Performance criteria are personalized for each student.
- Learning standards are expressed in terms that promote the highest levels of expectation and achievement for each student.
- Learning standards promote each student's entry into postsecondary education, typical jobs, active citizenship, and community membership.

Thematic Curriculum

- Provocative "real world" subject matter is chosen that appeals to the interests of all students.
- Major units of study are framed with "essential questions," problem statements, or compelling issues that apply to all students.

Learning Opportunities and Instructional Design

- Students are given choices in the learning resources they use, project topics, and group membership.
- A variety of learning materials are available in different formats and at different reading levels that match students' interests and learning styles.
- Small groups and cooperative learning structures are frequently used.

Learning Opportunities and Instructional Design (continued)

- The primary work of learning is accomplished by students actively thinking, speculating, researching, debating, discussing, and responding rather than by teachers lecturing.
- Modifications and adaptations — particularly learning and communication technology — are available for any student who needs them.

Demonstration of Learning

- Options are given for how students demonstrate what they know and can do. Students are encouraged to progress from using comfortable styles of demonstration to those that are personally challenging.

Evaluation and Grading

- Evaluation consists primarily of conversations with (and among) students about the quality of their work relative to common standards and individualized student progress.
- Students with disabilities are included in statewide and districtwide assessments with whatever accommodations are necessary for them to demonstrate what they know and are able to do.

☑ How can parents advocate to restructure curriculum and instruction for their child?

1. To Learn about the general curriculum and standards , request copies of the curriculum and standards for your child's grade. Begin with the general curriculum offered to all students as the basis for writing your child's IEP goals and objectives.

2. Ask the school to arrange for a complete evaluation. You may ask that the evaluation include an assessment of your child's learning strengths and weaknesses, including a description of the kinds of learning activities and teaching styles that will promote success. Request a reading assessment from a qualified teacher.

3. Ensure that specific learning conditions, such as participation in cooperative learning groups, are incorporated into the short-term objectives of the IEP.

BEST COPY AVAILABLE

4. Choose teachers whose teaching styles best match your child's needs. You might also request to interview or observe teachers to identify an appropriate match, or enlist the help of an administrator to assign your child to a teacher whose teaching style is suited to your child. Remember that one regular education teacher, under certain circumstances, must be a member of the Team.

5. Make sure that the IEP team includes in the IEP the modifications and supports your child needs to be involved and make progress in the general education curriculum, as required by IDEA. Examples of modifications are: personalizing the way students show what they know (e.g., multiple choice instead of essay); providing assistive technology, such as an augmentative communication system; individualizing the amount of work required; or assigning a written report instead of an oral presentation. The IEP should also specify the supports and services school personnel will need to teach your child effectively, and the learning environment your child needs to progress in the general curriculum.

6. Make sure your child's IEP addresses how s/he will participate in statewide or districtwide assessments and lists necessary accommodations, as required by IDEA.

☑ How can parents advocate for systemwide curriculum and instruction reform?

1. Learn about curriculum design, ability grouping, tracking, and effective instruction.

2. Request information about the design of curriculum and instruction from state or local groups (e.g., Parent Training and Information (PTI)[5] centers, Protection and Advocacy (P&A) organizations, legal services, universities, or state departments of education). Request assistance in working with your school community.

3. Join local committees or task forces addressing school reform issues in your community.

4. Contact your state department of education and request participation in development of the State Improvement Grants, if your state is applying for this grant.

5. Participate in your school's site-based council or run for a position on your local school board.

6. Participate in your school's PTA and join professional groups (e.g., Association for Supervision and Curriculum Development, TASH, the national PTA). Encourage curriculum and instruction reform to address the needs of all students. Talk about these issues with the parents of your child's classmates.

7. Monitor state and districtwide assessment results to ensure that students with disabilities fully and fairly participate and that test results are used to improve curriculum and instruction.

[5] Each state has at least one PTI funded by the U.S. Dept. of Education. PTIs provide parents of children with disabilities information about their rights under federal and state special education laws and other aspects of raising a child with a disability. For your state's PTI, call National Information Center for Children and Youth with Disabilities (NICHCY) at 800-695-0285.

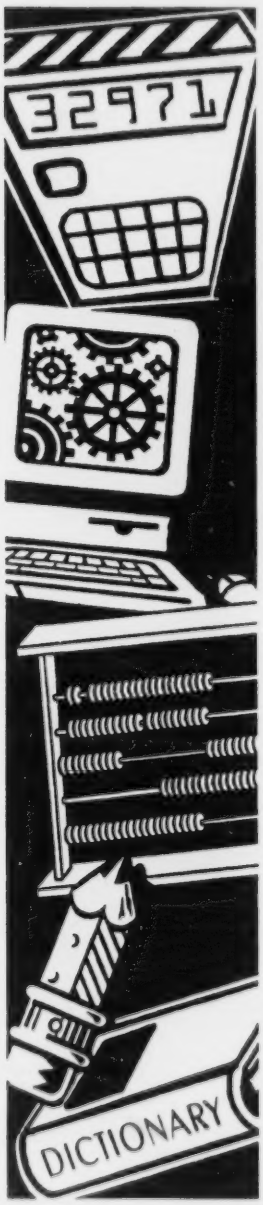
Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Curriculum and Instruction: Key Strategies to Promote Equity and Excellence" by Cheryl M. Jorgensen, Ph.D.

© 1999 The Federation for Children with Special Needs, Inc. and Jorgensen. All Rights Reserved.
This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

BEST COPY AVAILABLE

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs



Accommodations

Examples from State Assessment Policies

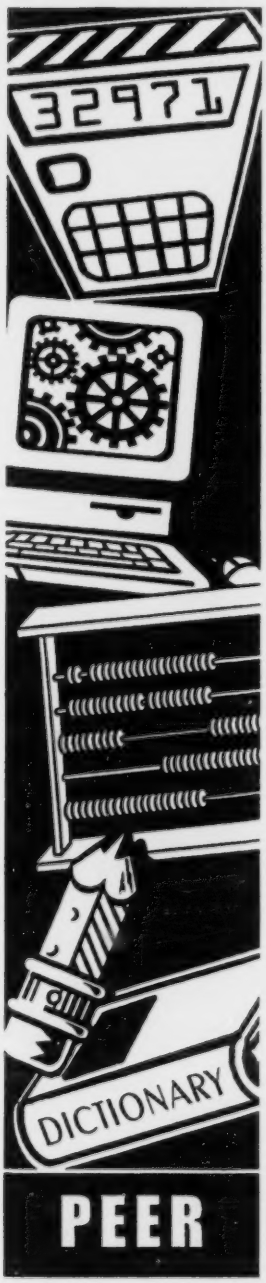
The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Accommodations

Examples from State Assessment Policies

prepared by Julia K. Landau, Janet R. Vohs, and Sue Cusack



Introduction

Education reforms designed to improve educational results for all students have been initiated at federal and state levels throughout the 1990s. The *Goals 2000: Educate America Act*, national school reform legislation signed into law by President Clinton on March 31, 1994, specifies important goals and principles applicable to all students. This legislation specifically includes students with disabilities in its call for much higher standards of learning for all students. Similar requirements are set forth in *Title I* of the *Improving America's Schools Act* of 1994. The *Individuals with Disabilities Education Act Amendments of 1997* (IDEA-97) further reinforce the requirements to include students with disabilities in regular education reform initiatives. IDEA-97 raised the standards for students with disabilities by requiring that they be involved in and progress in the general curriculum, and by requiring that they be included in state and districtwide assessment programs with appropriate accommodations.

These higher expectations for students with disabilities have resulted in increased attention to the accommodations students need to ensure their full access to educational opportunities in instruction and testing. IDEA now requires IEP teams to include a statement of any individual modifications in the administration of state or districtwide assessment of student achievement that students with disabilities need in order to participate in such assessments. Other accommodations and modifications these students need to participate in such assessments should also be provided.

It is important to acknowledge that use of some types of accommodations can be controversial. These issues become most apparent when the accommodation is closely related to the skill being assessed (e.g., reading a reading test). State policy which allows IEP teams to consider the full range of accommodations, including those utilized in classroom instruction, such as a reader for all subjects, should

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs, Boston, MA** © 1999

protect against discrimination in test administration. Such a policy is crucial, especially for high-stakes tests. Additional research will be needed to address technical issues around test measurement and use of the full range of accommodations.

In an effort to assist educators, parents, and policymakers as they move toward full participation of students with disabilities in state and districtwide assessment programs, the PEER Project compiled the following examples of accommodations. The list was drawn primarily from a review of state policy documents developed by the 47 states administering state assessment programs in 1997.[1]

Although states have wide-ranging policies regarding the types of accommodations available for assessments, it is important to note that test modifications must be based on individual student needs. Since it is impossible to itemize all the possible situations that may accompany a particular disabling condition in relation to a particular test or test item, a comprehensive listing of every possible testing accommodation that may be appropriate is not possible. However, the following brief descriptions of the kinds of accommodations used across the country may be useful as IEP teams consider the full range of accommodations that may be needed to provide students with disabilities full and equal opportunity to participate in assessment programs. Accommodations for a particular child are determined on an individual basis by the child's IEP team.

School-based policy should also be developed to facilitate complex administrative issues related to implementing comprehensive accommodations.

The examples of accommodations listed in this *PEER Information Brief* are organized into four categories that should be considered by the IEP team:

A. Timing/Scheduling Accommodations,

B. Setting Accommodations,

C. Presentation Accommodations, and

D. Response Accommodations.

The examples are summarized or, in some instances, excerpted from the original policy documents.

PEER
Parents Engaged in Education Reform

is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120

Web:
www.fcsn.org/peer

Email:
peer@fcsn.org

Voice/TTY:
(617) 236-7210

Fax:
(617) 572-2094

[1] Accommodations noted in this document are from this review. IDEA does not define or categorize accommodations.

Timing/Scheduling Accommodations

Scheduling modifications should be sensitive to the rate at which the student processes information and the student's ability to successfully sustain the activity. Examples include:

- At time of day or week most beneficial to student
- Multiple testing sessions
- Extended time to complete tests
- In periods of ___ minutes followed by rest breaks of ___ minutes
- Untimed testing sessions
- . . . until, in the administrator and team's judgment, the students can no longer sustain the activity. (Allow test administrator and team to determine length of sessions and need for breaks based on observation of student's ability to successfully sustain the activity. Additional sessions would be scheduled as needed to complete testing.)[2]

Setting Accommodations

Flexible setting considerations should support more productive responses from the student, allowing the student to demonstrate knowledge and skills without interference.

Adaptations to the environment might range from appropriate lighting to minimizing noise levels and curtailing visual, auditory, and olfactory distractions. Room temperature and seating issues should also be considered. Examples include:

- In a small group, in a separate location
- Individually, in a separate location
- In a carrel
- In the special education classroom
- With student seated in front of classroom
- With teacher facing student
- Near student's special education teacher or aide
- At the student's home
- At the hospital
- With special lighting
- With special acoustics
- Individual testing stations for students responding verbally
- With adaptive or special furniture
- In location with minimal distractions
- Students may be separated from other examinees if their method of response is distracting to other students.
- Students should not be required to take exams in corridors or other inappropriate locations.

[2] Note: For the most part, lengthy examples have been excerpted from state policy papers.

Presentation Accommodations

On some tests, students with disabilities may be unable to answer a test item due to the item format. The format of the item should be changed to allow the student the opportunity to complete the test.

In very rare instances, when a question cannot be reformatted, it should be omitted and credit for the question prorated. For example, some tests cannot be translated into Braille or presented in sign without changing the question. This accommodation applies only when the student is unable to complete the question due to format, not due to a lack of the skill or knowledge being measured. Examples of Presentation Accommodations include:

- Student given a written copy of examiner's instructions (from examiner's manual) at time of tests
- Practice tests or examples provided before test is administered
- Stimuli reduced (e.g., number of items on desk limited)
- Medication appropriately adjusted to prevent interference with the student's functioning
- Proper functioning of hearing aids ensured
- Directions read aloud by test administrator
- Standard directions read several times at start of exam
- Directions reread for each new page of test items
- Directions given in simplified language
- Key words in directions (such as verbs) underlined, highlighted, or marked with removeable highlighter tape
- Directions provided for each new set of skills in the exam
- Directions repeated as needed
- Student asked to demonstrate understanding of directions
- Directions given in any format necessary to accommodate student (signed, auditory amplification, repetition, etc.)
- Directions and test signed by interpreter
- Sign-language interpreter, amplification, or visual display for test directions/examiner-led activities
- Directions (nonsecure documents) reviewed prior to test administration
- Large print editions of tests
- Braille editions of tests
- Test items read aloud by test administrator
- Videocassette with taped interpreter signing test instructions and test items
- Test given by person familiar to child
- Student [physically] assisted to track the test items by pointing or placing the student's finger on the items
- Student cued to remain on task
- Physical assistance provided
- Student's test-taking position altered
- Opportunity for movement increased or decreased

- Test administered by special education teacher or aide
- Cued speech interpreters, and/or oral interpreters
- Audiocassettes used in conjunction with a printed test for multi-sensory stimulation
- Additional examples provided
- Spacing increased between test items
- Size, shape, or location of the space for answers altered as needed
- Fewer items placed on each page
- Size of answer bubbles enlarged
- Cues (e.g., arrows and stop signs) provided on answer form
- Paper placed in different positions
- Use of glasses, if needed
- Braille rulers
- Magnifying equipment (closed circuit television, optical low-vision aid, etc.)
- FM or other type of assistive listening device to screen out extraneous sounds
- Amplification equipment (e.g., hearing aid, auditory trainer)
- Assistive technology (adaptive keyboard, word processor, voice-activated word processor, graphic organizers, voice synthesizer, etc.)
- Augmentative communication systems or strategies, including letter boards, picture communication systems, and voice output systems
- Loose-leaf test booklet (allow student to remove pages and insert them in a device such as printer or typewriter for doing math scratchwork)
- Placemarker, special paper, graph paper, or writing template to allow student to maintain position better or focus attention
- Acetate color shields on pages to reduce glare and increase contrast
- Masks or markers to maintain place
- Visual stickers
- Closed-captioned or video materials
- Tape or magnets to secure papers to work area
- Mounting systems, including slantboards and easel
- Each test site should have two adults when using an interpreter to sign the test: 1) a test administrator who reads the information aloud (e.g., directions, test questions) and 2) a qualified interpreter who signs to the students. It is recommended that the school use an interpreter who has previously signed for the students.
- The interpreter must be proficient in sign language or the student's individual communication modality. The interpreter should not fingerspell words that have a commonly used sign. Test administrator and interpreter expected to attend all training sessions.

- Because the interpreter must be familiar with the concepts of writing/open-ended and multiple-choice test questions, he or she is allowed to review writing/open-ended test items for up to 15 minutes and multiple choice items for up to 2 hours per subject on the day of testing under secure conditions. The interpreters must not disclose the content or specific items of the test. Test security must be maintained.
- Proctor must have training in performing the service without giving verbal or nonverbal clues to student.
- Reading assessments may be read to student when the intent of reading is to measure comprehension, only if this is the normal mode as documented in IEP/504 plan.

Response Accommodations

Response accommodations can range in simplicity from pencil grips and manipulatives to more sophisticated computer-based communication systems. The intent of the response accommodation is to increase the students' ability to demonstrate what they know. Examples include:

- Student marks answers in test booklets
- Student marks answers by machine
- Student writes answers on large-spaced paper
- Student dictates answers to proctor or assistant who records it
- Student dictates answers to scribe or tape recorder to be later transcribed; students are to include specific instruction about punctuation on the Writing Assessment
- Student signs or points at alternative responses
- Periodic checks provided to ensure student is marking in correct spaces
- Spelling, punctuation, and paragraphing requirements waived
- use of response aids, such as:
  - abacus
  - arithmetic table
  - chubby, thin, or long well-sharpened pencils
  - Misspeller's Dictionary (not special accommodation — electronic dictionaries are special accommodations)
  - calculator, if documented disability interferes with mental or physical ability to perform math processes without calculator
  - word processor, typewriter, or electronic notebook, e.g., Alpha Smart
  - calculator/talking calculator or one with paper printout

- communication devices such as language board, speech synthesizer, computer, typewriter, or other assistive communication device
- additional answer pages for students who require more space for writing due to size of their handwriting
- pencil adapted in size or grip diameter
- slate and stylus, Braille writers, and modified abacus or speech output calculators (re: Braille only)
- spell-check device (either separate device or as word processing function)
- graphic organizers, e.g., storywebs
- grammar-check device

- Scribe — The student should know the identity of the scribe, who should have previous experience working with the student.
- Answers to questions designed to measure writing ability in English or in a second language may be recorded in an alternative manner (e.g., dictation). Spell check and grammar check devices are permitted. Students with significant spelling disabilities may be excused from spelling requirements.
- In general, the student who uses an aide to record responses must provide all information, including spelling of difficult words, punctuation, paragraphing, grammar, etc. Only those students whose disability affects their ability to spell and punctuate should be excused from providing such information. Modifications cannot include both a spell check device and deletion of spelling requirements (either/or).
- Only those students whose disability affects their ability to either memorize or compute basic math facts should be allowed to use computational aids.
- Regardless of the response option used, all student responses must be recorded in a regular test booklet before materials are sent in for scoring. If student's answers are marked in large print or separate sheet, test administrator must transfer the responses to a regular print test booklet.
- If a student has no means of written communication sufficient to complete the writing assessment due to significant physical disability, that student can be exempted from the writing portion only of the basic skills test or high school graduation test. An exemption for this reason does not affect that student's eligibility for a regular high school diploma. Any decision to exempt a student from writing assessment should be clearly documented with justification in IEP.

Conclusion

The preceding accommodations reflect a variety of strategies that could facilitate a student's participation during testing as well as increase the student's opportunity to demonstrate what s/he knows. Accommodations should be consistent with accommodations that the student uses in his/her learning environments. The use of accommodations should not be limited to isolated events such as standardized testing. Nor are accommodations intended to provide one student undue advantage over another. They are provided only to decrease barriers and to increase a student's ability to express his/her understanding of the content or demonstrate mastery of a skill.

The challenge for the future is to continue to expand the number and kind of accommodations and strategies that are used to facilitate access and promote meaningful participation for all students.

The PEER Project is grateful to Sue Cusack for her comments and contributions to this Information Brief.

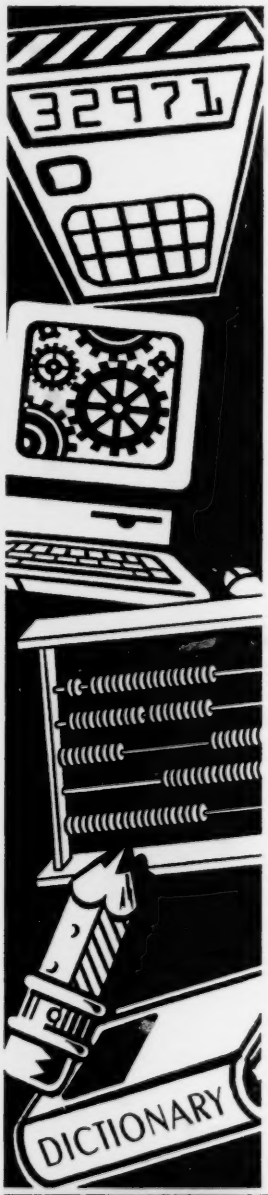
Sue is Technology Specialist at the Institute for Community Inclusion (UAP), Children's Hospital & University of Massachusetts, Boston.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Fact Sheet

Accommodations Fact Sheet



Higher expectations for students with disabilities have led to greater attention being paid to the accommodations students need in order to have full and equal access to educational opportunities in instruction and testing. The *Individuals with Disabilities Education Act Amendments of 1997* (IDEA) reflect and reinforce these higher expectations. For example, IDEA states that the education of students with disabilities can be made more effective by having high expectations for such children and ensuring their access to the general curriculum to the maximum extent possible. The law requires Individualized Education Program (IEP) teams to develop concrete strategies for linking IEPs to the general curriculum, which should reflect state educational standards.

IDEA also recognizes the importance of assessment as a way to improve educational results for students with disabilities. Therefore, IDEA also now requires that all students with disabilities participate in any state and districtwide assessment programs being given to the general student population.[1] IEP teams must now address how students will participate in large-scale assessments, including needed accommodations. This **Fact Sheet** focuses primarily on the use of accommodations in large-scale state and districtwide assessments.

If needed, students with disabilities have the right to receive accommodations during testing. When used during testing, an accommodation generally does not change the test content or difficulty. Rather, an accommodation allows students to demonstrate what they know by reducing the interference of the disability. IEPs must include a statement of individual modifications and accommodations necessary for a student with a disability to participate in assessments.

In an effort to assist parents, educators, and policymakers as they move toward full participation of students with disabilities in large-scale assessments, the Parents Engaged in Education Reform

[1] Participation in large-scale assessments is also required by the *Americans with Disabilities Act* and Section 504 of the *Rehabilitation Act of 1973*.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs ©1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

(PEER) Project compiled examples of accommodations drawn from a review of policy documents developed by 47 states as of 1997.[2]

The following list of examples of accommodations used across the country is by no means exhaustive. Test accommodations and modifications must be based on a student's *individual* needs. Consequently, it is not possible to develop a comprehensive listing of all the possible testing accommodations for students with every type of disability for all different tests or test items. Rather, this list was developed to assist IEP teams in considering the broad spectrum of accommodations that may be needed to provide students with disabilities full and equal opportunity to participate in assessment programs.

The law requires IEP teams to consider the full range of accommodations, including those utilized in classroom instruction. Use of some types of accommodations may initially be controversial, especially when the accommodation is closely related to the skill being assessed (for example, reading a reading test). Yet it is essential to allow consideration of *all* types of accommodations to protect against discrimination in test administration. Considering all types of accommodations becomes even more critical for high-stakes tests.

The examples of accommodations for IEP Team consideration that must be considered by the IEP team are organized into four categories: Presentation Accommodations, Response Accommodations, Timing and Scheduling Accommodations, and Setting Accommodations.

☑ Presentation Accommodations

- ✓ Braille or large print editions of tests
- ✓ Directions and/or all test items read aloud by test administrator
- ✓ Directions repeated
- ✓ Directions given in simplified language
- ✓ Fewer items placed on each page
- ✓ Student "physically" assisted to track test items by pointing or placing the student's finger on the items
- ✓ Student cued to remain on task
- ✓ Assistive technology (adaptive keyboard, word processor, augmentative communication systems, voice-activated word processor, voice synthesizer, etc.)
- ✓ Cues (e.g., arrows, stop signs) provided on answer form
- ✓ Physical assistance provided
- ✓ Opportunity for movement increased or decreased
- ✓ Stimuli reduced
- ✓ Device to screen out extraneous sounds (e.g., noise buffers)
- ✓ Test administered by special education teacher or aide
- ✓ Appropriate adjustment of any medication to prevent interference with the student's functioning

[2] Accommodations noted in this document are from this review. IDEA does not define or categorize accommodations.

- ✓ Directions and test items signed by interpreter
- ✓ Placemarker, special paper, writing template, etc. to allow student to maintain position or focus attention
- ✓ Mounting system, including slantboards, easel, tapes, magnets
- ✓ Amplification equipment, (e.g., auditory trainer, hearing aid)
- ✓ Reading assessments read to student when the intent of reading is to measure comprehension

☑ Response Accommodations

- ✓ Student marks answers in test booklets or large-spaced paper
- ✓ Student marks answers by machine
- ✓ Student dictates answer to scribe or tape recorder to be later transcribed
- ✓ Student knows the scribe, has previous experience working with scribe
- ✓ Student uses signs or gestures
- ✓ Assistive technology, including assistive communication devices
- ✓ Periodic checks to ensure student is marking in correct spaces
- ✓ Calculator
- ✓ Spell-check device
- ✓ Grammar-check device
- ✓ Pencil adapted in size, special grip pencil
- ✓ Arithmetic table, abacus
- ✓ Braille writers, slate and stylus

☑ Timing and Scheduling Accommodations

- ✓ Extended time or untimed testing sessions
- ✓ Multiple testing sessions
- ✓ At time of day or week most beneficial to student
- ✓ In periods of ___ minutes followed by rest breaks of ___ minutes
- ✓ Test administrator determines length of sessions and need for breaks based on observation of student's ability, stamina

☑ Setting Accommodations

- ✓ In small group or individually
- ✓ In front of classroom
- ✓ Teacher facing student
- ✓ Near teacher or aide
- ✓ At the student's home or at the hospital
- ✓ Special lighting or acoustics
- ✓ Adaptive or special furniture

Information in this **Fact Sheet** is based on the *PEER Information Brief,* "Accommodations: Examples from State Assessment Policies" by Julia K. Landau, Janet R. Vohs, and Sue Cusack.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

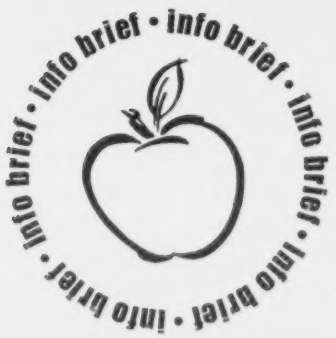
PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Assessment
A Key Component of Education Reform

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE



Assessment

A Key Component of Education Reform

by Martha L. Thurlow, Ph.D.
Associate Director, National Center on Educational Outcomes

Introduction

Assessment is a key component of special education and education reform. Children are assessed individually to determine their eligibility for special education services and to ascertain learning needs. Education reform initiatives usually rely on large-scale standards-based assessments — student progress is measured relative to a set of state, district, or national standards. Thus, what students know and are able to do is compared to standards of knowledge and skills, rather than to the performance of other students.

Assessments used for education reform often are referred to as state or districtwide assessments because they are designed to measure the status of the education system for all students. They may also be called large-scale assessments because large groups of students are tested in a relatively short period of time and under uniform conditions so that results can be compared across groups of students. You may recall taking these kinds of tests when you were in school.

In the past, large-scale assessments were not always considered important for students with disabilities — it was assumed that special education assessments provided sufficient data on how well students were doing in school. Typically, however, special education assessments have not provided information on what students know and can do relative to local and state standards.

Tests used in assessments probably are different from the ones that you took. In addition to typical multiple-choice tests, alternative assessments are being used.

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs, Boston, MA** © 1999

Many of these alternative forms of assessment require students to provide written responses, and often the responses are expected to be several paragraphs long. The tests may also include performance-based assessments that take a variety of forms including: essays, problem-solving items, science experiments, production of art work, and portfolios of student work and computer simulations.

The 1997 amendments to the *Individuals with Disabilities Education Act* (IDEA) require the participation of students with disabilities in state and districtwide assessment programs, regardless of the format of the assessments. This addition to the law means that the education system must be accountable for the results of education for all students.

What Is Results-Based Accountability?

Standards-based assessments often are part of a larger accountability system — a system that holds an individual or group responsible for student learning. Results-based accountability is different from the compliance-based accountability of special education. Both approaches to accountability can be used at the same time. Results-based accountability looks at the important question, "Is the student learning?" Compliance-based accountability asks the question, "Is the student receiving the services written on his or her IEP?"

Accountability is a more encompassing term than assessment. It can include more than the collection of data from tests, record reviews, and other performance assessments. A system is accountable for all students when it makes sure that all students count (or participate) in the evaluation program of the education system. Counting all students does not mean that all students take the same test. Rather, it means that all students' learning and progress are accounted for and included when reporting on the education system.

Have Students with Disabilities Been Included in Assessment and Accountability Systems?

Studies show that students with disabilities have been excluded to an unreasonable extent from large-scale assessment programs and from results-based accountability systems. About 50% of students with disabilities have been excluded from various assessments at the national, state, and local levels. But the exclusion rates vary from 0% to 100%. And, these are only estimates. Most states and districts have a difficult time saying exactly how many students with disabilities participated in their large-scale assessments.

With the passage of the 1997 amendments to IDEA, exclusion of students with disabilities from state and

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

districtwide assessment programs is no longer acceptable. IDEA now requires that students with disabilities be included in state and districtwide assessment programs, with needed accommodations and modifications. Specifically, students with disabilities are expected to participate in state and districtwide assessments, using accommodations where appropriate, and their scores are to be reported with the same frequency and in the same detail that the scores of other students are reported. To ensure that all students with disabilities are included, it may be necessary to use alternate assessments. Alternate assessments, however, should be needed for the relatively small percentage of students unable to participate in regular state and districtwide assessments. There should be no exclusion of students with disabilities from state and districtwide assessment programs.

Why be concerned about the exclusion of students with disabilities from assessments and accountability systems? Out of sight is out of mind — individuals excluded from assessments are not likely to be considered in policy decisions that affect all students. Students with disabilities must be considered and included in the assessment of what students know and can do. To understand whether education is working for students with disabilities, inclusion in assessments and accountability systems is critical. Major changes in policies and practices are needed as explained below to ensure that all students with disabilities are included in state and districtwide assessment programs. Implementing the new IDEA requirements appropriately will require significant effort on the part of parents, educators, students, test-designers, policy makers, and others. In the mid-1990s, the National Center on Educational Outcomes (NCEO) identified three points in the assessment process where exclusion of students often occurs. In each of these three phases of the assessment process, substantial changes are required:

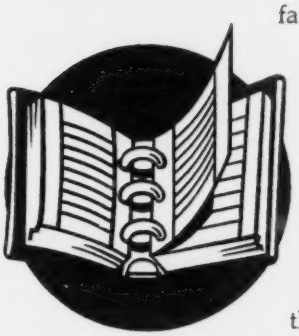
1. development of the assessment,
2. administration of the assessment, and
3. reporting results of the assessment.

1. At the time of development

Students with disabilities often are not considered when items are developed, and they are not included when assessments are field-tested. As a result, assessments may not have appropriate items for students with disabilities. Frequently, there are insufficient test items to accommodate the diversity and range of skills of students with disabilities.

2. During administration

A second point of exclusion occurs during the administration of the assessment. This is the kind of exclusion most people know about. Low expectations, totally separate curricula, and lack of needed accommodations have led schools to exempt students. To protect students with disabilities from having to "suffer" through a test they may



fail, parents have been encouraged to keep students home, or students have been pulled out of the classroom to watch a movie, or go on a field trip when the state or district-wide assessment was to be given.

There are many reasons for exclusion that occurs at the point of administration. Among the most common are:

- Written guidelines that are exclusionary or vague;
- Restrictions on accommodations;
- Altruistic, yet misguided, concerns about possible negative effects of tests on students with disabilities; and
- Incentives created by the assumption that students with disabilities will perform poorly and the desire to have a school or state "look good" in comparison to other schools or states.

3. When reporting results

A third point of exclusion occurs when the reports of results are prepared. Often, the scores of students with disabilities are omitted. Scores are omitted, in some cases, due to a concern that the performance of students with disabilities will negatively impact the overall results of the assessment. On the other hand, states and districts sometimes are unable to separate the scores of students with disabilities from those of other students. When this is the case, it is difficult to hold schools accountable for the achievement of students with disabilities.[1]

What Are Assessment Accommodations?

Generally, assessment accommodations are changes in how the assessment is presented, where it is presented, the timing or scheduling of the assessment, and how the student can respond. States and districts use a number of terms to refer to the concept of accommodation. Frequently used terms include: adaptation, modification, and alteration.

[1] The 1997 amendments to IDEA have specific reporting requirements. See *Reporting of Results* on page 6.

Common Testing Accommodations

Presentation
Braille; oral reading; signing of directions; interpretation of directions

Response
Mark response in booklet; use template for responding; point to response; use word processor; scribe

Setting
In study hall; with small group; at home with appropriate supervision; in special education class

Timing/scheduling
Extended time; more breaks; sessions extended over several days

It is important to find out how these terms are used in a particular location. The use of accommodations during assessments is probably the most controversial aspect of the participation of students with disabilities in large-scale assessments.

There are a number of technical and implementation issues related to the use of accommodations and their effect on test scores. These issues require additional research and negotiation to help create a fully inclusive assessment system. However, by law, students with disabilities must now be included in state and districtwide assessment programs with appropriate accommodations.

An Action Plan for Assessment: What Needs to Happen?

In less than a decade, there has been a dramatic increase in the amount of attention that our nation pays to assessments given both in and outside of the classroom. Assessment and accountability have moved to the forefront of reform efforts, and now IDEA requires that students with disabilities be included fully in state and districtwide assessment programs. Building a system that is accountable for all students should be the goal of our education system. If we begin our planning and development of assessments with this end in mind, then we can proactively address the issues of accountability for the learning of all students.

General Action Steps

Be in the know. Find out what your state or district is doing in the assessment arena. Does your state have a state assessment? Is there a districtwide assessment? Obtain copies of participation, accommodation, and reporting guidelines. If your state does not have a state or districtwide assessment, find out what is currently being developed to account for student learning. In either case, check to see how students with disabilities are considered in the guidelines or the development of the assessment and policies.

The following checklist can be used to guide your efforts:

✓ *Instrument Development*

Find out whether individuals knowledgeable about disabilities are involved in the development of test items or new assessments, and whether students with disabilities are included when assessments are field-tested. Field testing helps identify problems and the need for more varied items. Test items can be dropped, modified, or added during this phase to allow more students to participate.

✓ *Instrument Administration*

Check to determine whether students with disabilities are participating in the assessment. When sampling procedures are used for a new assessment, the sample should be representative of all students.

✓ *Partial Participation*

Even though a student may not be able to take all parts of an assessment, the student should be included in those parts in which participation is possible.

✓ *Alternate Assessment*

For a relatively small percentage of students with disabilities, it may be necessary to have an alternate assessment. Generally, these assessments are for students with significant disabilities who may need a different type of assessment to demonstrate what they know and are able to do. Check to see whether an alternate assessment is available or being developed in addition to the regular assessment. The 1997 amendments to IDEA require states with state and districtwide assessment programs to conduct alternate assessments beginning July 1, 2000, for students who need them. Since individual determinations are made by the IEP team a relatively small percentage of students with disabilities will require alternate assessments.

✓ *A Monitoring System*

It is important for assessment systems to monitor adherence to the assessment guidelines. Find out whether your state and districtwide assessment systems include mechanisms to:

- Check that students receive the appropriate assessment (regular or alternate).
- Verify that appropriate accommodations are provided during the assessment.
- Remove incentives for exclusion from the regular assessment. Some states have achieved this by assigning the lowest possible proficiency level score to all excluded students when determining school, district, and statewide scores.

✓ *Reporting of Results*

The *IDEA Amendments of 1997* require states and districts to report the scores of students with disabilities in two ways. First, school, district, and statewide summaries must report the scores of all students with disabilities together with the scores of all other students ("aggregated" scores). This is important because if the scores of students with disabilities are only reported separately, the achievement of students with disabilities is likely to be considered as less important when evaluating school performance.

In addition, school, district, and statewide summaries must also report the performance of children with disabilities separately from the scores of students without disabilities ("disaggregated" scores) to allow analysis of student performance and identification of specific trends. The number of students with disabilities taking regular state or districtwide assessments must be reported, as well as the number of students taking alternate assessments. If a student is excluded from regular testing for any reason, find out what the procedure is for including their alternate test results in testing reports. For example, Kentucky assigns the scores of all students to their neighborhood schools, regardless of the school they actually attend.

Individual IEP Action Steps

With the *IDEA Amendments of 1997*, IEPs must now address a student's participation in state or districtwide assessments of student achievement. During the IEP process, attention needs to be given to:

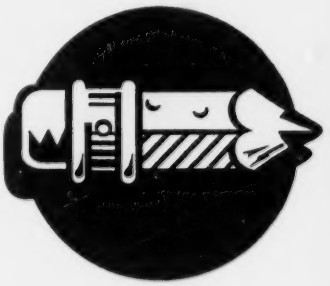
(a) the goals of instruction, which must be linked to the general curriculum,

(b) the kinds of instructional accommodations used in the classroom, and

(c) the accommodations needed to enable participation in assessments.[2]

The following issues and questions should be addressed during the IEP development process:

- Identify the goals of the student's instruction. With the *IDEA Amendments of 1997*, the IEP must address the student's participation in the general curriculum.
- What kinds of instructional supports, services, and accommodations are indicated on the IEP? Are these accommodations appropriate given the student's strengths, weaknesses, and educational goals?
- What kind of accommodations, if any, are necessary for the student to participate in state or districtwide assessments? Are the accommodations used during classroom instruction the same as those provided during tests? If not, why not? Accommodations usually should not be introduced for the first time during an assessment. They should be part of the student's ongoing instruction. However, testing conditions may require some accommodations not typically used in the classroom. Steps should be taken to introduce the student to new accommodations before the test is taken.
- If a student is being considered for an alternate assessment, consider whether further accommodations or adaptations would increase the likelihood of participation in the regular assessment.



Some Final Words

Increasingly, states are expected to implement systems of education that emphasize higher standards and accountability for all students. State assessments are being revised in response to changes in the law, public challenges, and national initiatives. Assessment results help policymakers make decisions to improve education programs. It is imperative, therefore, that students with disabilities participate in these assessment and accountability systems. Participation will help ensure that American schools address the learning needs of our diverse student population.

[2] See 614(d)(1)(A)(v) which states that: "A statement of any individual modifications in administration of state or districtwide assessment of student achievement that are needed in order for the child to participate in the assessment must be included in the IEP."

Resources

Alternate Assessments for Students with Disabilities. NCEO Policy Directions Number 5 by M. Thurlow, K. Olsen, J. Elliott, J. Ysseldyke, R. Erickson, & E. Ahearn (1996) at the National Center on Educational Outcomes, University of Minnesota.

Assessment Guidelines that Maximize the Participation of Students with Disabilities in Large-Scale Assessments: Characteristics and Considerations. A report by J. Elliott, M. Thurlow, and J. Ysseldyke (1996, Synthesis Report 25) at the National Center on Educational Outcomes, University of Minnesota.

Increasing the Participation of Students with Disabilities in State and District Assessments. NCEO Policy Directions Number 6 by M. Thurlow, J. Ysseldyke, R. Erickson, and J. Elliott (1997) at the National Center on Educational Outcomes, University of Minnesota.

Making Decisions About the Inclusion of Students with Disabilities in Large-Scale Assessments. A report by J. Ysseldyke, M. Thurlow, K. McGrew, and M. Vanderwood (1994, Synthesis Report 13) at the National Center on Educational Outcomes, University of Minnesota.

Outcomes Assessment for Students with Disabilities: Will it be Accountability or Continued Failure? An article by M. McLaughlin and S. Hopfengardner-Warren appearing in Preventing School Failure (1992, vol 36, issue 4, pp. 29-33).

Providing Accommodations for Students with Disabilities in State and District Assessments. An NCEO Policy Directions Number 7 by J. Elliott, J. Ysseldyke, M. Thurlow, and R. Erickson (1997) at the National Center on Educational Outcomes, University of Minnesota.

Recommendations for Making Decisions About the Participation of Students with Disabilities in Statewide Assessment Programs. A report by J. Ysseldyke, M. Thurlow, K. McGrew, and J. Shriner (1994, Synthesis Report 15) at the National Center on Educational Outcomes, University of Minnesota.

Reporting the Results of Students with Disabilities in State and District Assessments. NCEO Policy Directions Number 8 by R. Erickson, J. Ysseldyke, M. Thurlow, and J. Elliott at the National Center on Educational Outcomes, University of Minnesota.

Testing Accommodations for Students with Disabilities. A report by W. King, J. Baker, and J. Jarrow (no date) at the Association on Higher Education and Disability, University of Ohio.

Testing Students with Disabilities: Practical Strategies for Complying with District and State Requirements. A book by M. Thurlow, J. Elliott, and J. Ysseldyke (1998), published by Corwin Press, Inc. (Thousand Oaks, CA).

For more information, please contact:

National Center on Educational Outcomes
University of Minnesota
350 Elliott Hall
75 East River Road
Minneapolis, MN 55455
612-624-8561
Fax 612-624-0878
www.coled.umn.edu/nceo
or
Parents Engaged in Education Reform (PEER)
1135 Tremont Street, Suite 420
Boston, MA 02120
617-236-7210 (Voice/TTY)
Fax 617-572-2094
www.fcsn.org/peer

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Fact Sheet

Assessment Fact Sheet

What Are State and Districtwide Assessments?

Most people involved in special education think of "assessment" as the tests and evaluations used by a school system to determine whether or not a child is eligible for special education and to pinpoint specific types of special learning needs. These assessments are the basis for making instructional decisions about an individual child.

In the context of general education reform, "assessment" has a different meaning. Assessment refers to tests given to large groups of students. Usually these assessments help school districts and states find out how well students have learned the content and skills set forth in state and districtwide educational standards. Generally, these assessments are "paper and pencil" tests given under uniform conditions.

In 1997, 47 states had some form of state assessment system. State assessments frequently serve two purposes: (1) to provide information about individual student achievement, and (2) to measure the success of school systems in order to hold educators accountable for student achievement. Test scores may be used to make decisions about student proficiency (including minimum competence for promotion to the next grade or high school graduation), to compare schools and school districts, or to guide policy decisions.

Why is it important for students with disabilities to participate in testing?

Assessment is an important part of education reform. Testing provides schools with critical information that can be used to improve student achievement. Students with disabilities benefit from state assessments in many ways.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs © 1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

Benefits of testing include:

Schools Accountable for the Progress of All Students

Test scores are used to measure a school's success in teaching students. To understand if schools are successfully teaching students with disabilities, participation in the assessments is critical. When all students take the test, superintendents, principals, and teachers realize that they are accountable for the achievement of all students. If students with disabilities do not take the test, the school may not think their achievement is important.

Raised Expectations for Children with Disabilities

A goal of school reform is to set high expectations and raise the level of learning for *all* students, including students with disabilities. In the past, schools often had very low expectations for students with disabilities and did not provide the supports and services they needed to make progress in the general curriculum. When schools simply "exempt" students from testing, educators do not have to question their assumption that children with disabilities are incapable of learning the general curriculum.

Requiring students with disabilities to participate in assessments raises the expectations for the students and for schools. It is clear to educators that students with disabilities are expected to learn the general curriculum. Schools will be held accountable for the high academic achievement of students with disabilities and will have a strong incentive to make sure that students receive the supports and services they need to master, to the best of their ability, the state standards set forth for all students.

Policies and Programs Developed to Address the Needs of Students with Disabilities

To help students learn more and meet high standards, schools are developing new programs and services. Results from tests can be used to improve programs and to gather information about promising practices. If students with disabilities are included in assessments, their needs will be considered when making decisions about education policies, programs, and practices. Therefore, the resources and services students with disabilities receive in the future could be unfairly limited if students with disabilities are excluded from assessments.

High Stakes for Individual Students

For individual students, the importance of assessments may be even more immediate. Increasingly, test scores are used to decide who will receive a diploma or promotion, or who will go to college. Students with disabilities must take the tests in order to have an equal chance to participate in future life activities. If students do not participate in assessments, they may not receive a diploma or be promoted to the next grade.

☑ What does the law say about participation of students with disabilities in assessments?

The 1997 amendments to the *Individuals with Disabilities Education Act* (IDEA) recognize the importance of assessment as a way to improve educational results for students with disabilities.

Therefore, IDEA requires the participation of students with disabilities in all state and districtwide assessment programs, with appropriate accommodations and modifications. *Every child's Individualized Education Program (IEP) must now address participation in state or districtwide assessment of student achievement (or part of such assessment).* Participation in large-scale assessments is also required by the *Americans with Disabilities Act* and Section 504 of the *Rehabilitation Act of 1973.*

If needed, students with disabilities have the right to receive accommodations during testing. An accommodation generally does not change the test content or difficulty. Rather, an accommodation allows a student to demonstrate what he or she knows.

For a relatively small percentage of students with more complex disabilities, the IEP Team may decide an alternate assessment is necessary. Alternate assessments provide a different kind of test to enable students to show what they know and are able to do. Students who take alternate assessments should receive the same benefit as students who take the regular assessments if they can demonstrate they have the knowledge required for that benefit. States are required to provide alternate assessments no later than July 1, 2000.

All test scores of students with disabilities must be used in the same manner and reported with the same detail and frequency as are test scores of other students. The state and districtwide scores of students with disabilities must be reported together with the scores of all other students, as well as separately, in order to track the progress of different groups of students.

Some examples of assessment accommodations that may be considered by IEP teams

Presentation
Use of Braille or large-print materials; a reader (person or computer); sign language; assistive technology

Response
Dictation to a scribe or tape recorder; pointing to response; assistive technology

Setting
Placement in quiet room such as a study hall, library, study carrel; at front of room; in small group; alone

Timing/Scheduling
More time; more breaks; time of day

☑ How families participate

Most importantly, parents, as key members of IEP teams, can make sure that their child's IEP complies with the new requirements of IDEA.

All IEPs must state how the student will participate in the assessment program.

Make sure that the IEP team decides how your child will participate in the assessment, for example:

- ✓ Under usual conditions (without accommodations),
- ✓ With accommodations, or
- ✓ With an alternate assessment.

By following these steps, parents can help ensure that their child's IEP addresses full, fair, and meaningful participation in assessments:

1. Identify the goals of the student's instruction.
With the IDEA amendments of 1997, the IEP must now address the student's participation in the general curriculum. When thinking about the instructional goals, a good place to start is to find out what the other students in your child's age group are learning. Then incorporate these curriculum goals into your child's IEP.

2. Identify and list in the IEP the supports, services, and accommodations that are needed for your child to meet the instructional goals, and to participate and make progress in the general curriculum. The supports, services, and accommodations should be based on your child's strengths, weaknesses, and educational goals.

3. Identify and list in the IEP any accommodations that are needed for your child to participate in state or districtwide assessment programs.
Generally, the accommodations used during classroom instruction should also be provided during testing. Accommodations usually should not be introduced for the first time during an assessment. They should be part of the student's ongoing instruction. However, testing conditions may require some accommodations not typically used in the classroom. Steps should be taken to introduce the student to new accommodations before the test is taken.

4. Consider the pros and cons of having your child take an alternate assessment.
The deciding question should be: Does my child need a totally different test in order to demonstrate what he or she knows and is able to do? Also consider whether further accommodations or adaptations would increase the likelihood of participation in the regular assessment. If an alternate assessment is being considered, make sure that your child will have equal opportunities to receive any benefits or services related to the testing, (e.g., promotion, graduation, provision of services or programs).

☑ Policy questions/considerations

Ask for copies of papers and memos that discuss issues about how children with disabilities will participate in the assessment. In addition, the following questions may help parents gather information they should consider when making decisions about their own child's IEP. They also identify issues that will have an impact on how well the state assessment system is being designed to serve the needs of students with disabilities as well as other diverse learners.

- ✓ **Does your state have state or districtwide assessments?**
- ✓ **Do all students with disabilities participate in the assessments?**
- ✓ **Do the people making the tests have experience testing children with disabilities?**
- ✓ **Were students with disabilities included in making and field testing the assessments?**
- ✓ **How will the assessment scores of students with disabilities be used and reported?**

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Assessment: A Key Component of Education Reform," by Martha L. Thurlow, Ph.D.

© 1999 The Federation for Children with Special Needs, Inc., All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

peer policy paper

Statewide Assessment
Policy Issues, Questions, and Strategies

prepared by Julia K. Landau, Janet R. Vohs, and Carolyn A. Romano

This policy paper provides a list of questions to guide parents and parent organizations in their efforts to ensure that state and districtwide assessment systems fully and fairly include students with disabilities. In the past, students with disabilities have too often been excluded from large-scale assessments. However, students with disabilities now must be included in state and districtwide assessment programs with appropriate accommodations, as required by the amendments to the *Individuals with Disabilities Education Act* (IDEA), as well as the *Americans with Disabilities Act* (ADA), and *Section 504 of the Rehabilitation Act of 1973.*

Statewide assessments[1] have enormous ramifications for students with disabilities. Assessments frequently serve as the cornerstone of efforts to improve education. If students with disabilities are excluded from the development and administration of statewide assessments, it is less likely that they will benefit from overall school reform improvements. Also, statewide assessments can be a way to hold schools accountable for improving educational results for all students. If students with disabilities are excluded, they may not be considered when important educational policy decisions are made.

Statewide assessments are different from the three-year individualized evaluations required by IDEA for students receiving special education services. For students in special education, a variety of tests and assessments are used to determine a students eligibility for special education and to identify a student's specific educational needs. In contrast, statewide large-scale assessments are usually standardized, "paper and pencil" assessments. The goals of statewide assessment programs also differ from those of special education assessments. Usually, the

[1] Although the focus of this paper is on statewide assessments, the information is applicable to districtwide assessments as well (See 20 U.S.C. 1412 (17)(A)).

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs, Boston, MA** © 1999

purpose of a large-scale assessment is two-fold:

1. to provide information about individual student achievement, and
2. to gauge the success of schools and school systems in order to hold educators accountable for student attainment of educational results.

Almost all states now have some type of statewide assessment program as a result of education reform initiatives. Many states will now need to revise their assessment policies to comply with new IDEA amendments intended to ensure participation of all students with disabilities. During this period of reform and change, it is crucial that parents knowledgeable about diverse learners (including students with IEPs) become active participants in the development of assessment policies. The following questions and discussions highlight issures critical to effective participation.

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

What type of assessment will the state use?

It is important to know what kind of assessment your state administers. Typically, a state's assessment includes one or more of the following types of tests:

1. multiple-choice questions;
2. performance-based assessments, in which students demonstrate their knowledge through short-answer, open-ended, and essay questions; and
3. portfolio assessment, in which examples of students' work (essays, models, or reports) are assembled to document student progress.

Find out which type of assessments and tests your state will administer and the subject areas covered, then analyze what you think will best meet the needs of students with disabilities.

Which assessment or which contractor will the state use?

Find out if your state will use assessments that have already been developed ("off-the-shelf" assessments) or if the state will develop its own assessments, aligned with the state's standards. Ensure that the company selected to administer or develop the test has sufficient expertise and experience in assessing students with disabilities.

What is the process for developing the assessment?

It is important to design the assessments so that they do not discriminate against students with disabilities. Often when developing a new assessment, a bias committee is established. The bias committee, which traditionally addresses race discrimination, should also address discrimination on the basis of disability. Individuals with disabilities and individuals with expertise in disability bias should be included on the committee.

Such a committee is important because some test questions rely on information unavailable to a child because of his or her disability. In addition, students with all types and significance of disabilities should fully participate in all samples, trials, and field tests.

What are the "stakes" or consequences of the statewide assessment?

It is important for parents to know how test results will be used. Find out whether students are required to "pass" the assessment in order to receive a high school diploma. Many states link assessment results to graduation. Additionally, some states use assessment results as a basis for student promotion, student awards, or recognition of exemplary performance.

Furthermore, some states use assessment results as a direct accountability tool for educators and school systems, for example, linking test scores with bonuses, school funding, or accreditation.

Will all students with disabilities participate in the statewide assessment?

Among the most critical issues to explore are your state's policy and practices for allowing students with disabilities to participate in the statewide assessment. The 1997 Amendments to IDEA specifically require states to include all children with disabilities in state and districtwide assessment programs. The ADA and Section 504 similarly require participation of students with disabilities.

Despite these requirements, currently some states exempt certain groups of students with disabilities from state assessments, based on disability categories, the child's reading level, or the restrictiveness of the child's placement. Other states already include all students in the assessment system, providing accommodations or alternate assessments that enable students with disabilities to participate fully.

It is crucial to ensure that all students with disabilities participate in the statewide assessment, as required by law. If students with disabilities are excluded from testing, there is usually no mechanism to determine whether these students receive the benefits of education reform. Further, if certain groups of disabled students are exempt, then the achievement of the excluded students will not be considered when evaluating a school or school district's performance. Schools will have less incentive to improve education for students whose scores do not count. For those states where test results have significant consequences for the individual students, such as receipt of a diploma, participation becomes even more critical.

Who determines if a student with disabilities needs accommodations in order to participate in the assessment?

IDEA requires that a child's IEP specify the need for modifications in the administration of a state (or districtwide) assessment. Through the IEP process, individualized decisions must be made regarding whether a student with a disability can participate in the assessment "as is" (without accommodations) or whether the student requires accommodations in order to participate. In a relatively few cases, the IEP team may determine that a student requires an alternate assessment in order to receive an equal opportunity to demonstrate his or her proficiency and achievement.

Most states currently rely on the IEP team to determine how students with disabilities will participate in the assessment. The individual decisions regarding how a child will participate in the assessment are subject to due process procedures required by IDEA.

What type of accommodations are available to students with disabilities?

States currently have wide-ranging policies regarding the type of accommodations available for assessments. There are generally four types of accommodations that should be considered by the IEP team:

- Timing of test: e.g., extended time, breaks, extending over days, time of day
- Setting of test: e.g., small group, alone, front of room, study carrel
- Presentation of questions: e.g., large print, Braille, readers, sign language, assistive technology
- Methods of response: e.g., dictate to scribe, point to response, sign language, computer, tape recorder

Some states allow students to use the same accommodations for assessment that are included in students' IEPs and used in classroom instruction. Other states have a limited list of "approved accommodations" that IEP teams must choose from. In this case, IEP teams should still be allowed to specify unlisted accommodations if necessary to ensure equal opportunity to participate in the assessment.

Accommodations necessary to remove barriers to participation must be provided. It is important to acknowledge that use of some types of accommodations can be controversial. These issues generally become most apparent when the accommodation is closely related to the skill being assessed (e.g., reading a reading test). State policy which allows IEP teams to consider the full range of accommodations, including those utilized in classroom instruction, such as a reader for all subjects, should protect against discrimination in test

administration. Such a policy is critical, especially for high-stakes tests.

IDEA recognizes that some students may require "alternate" assessments in order to participate in the assessment system. The recent amendments to IDEA require states to develop and begin conducting alternate assessments no later than July 1, 2000.

How will the test results be used?

The way test results will be used at the classroom and school level is very important. This issue is especially critical for students who perform poorly on the assessment. Test results should be used to ensure that these students receive the instructional support and opportunities they need to improve their performance, and to further ensure that any remedial educational opportunities are provided in the mainstream. Test results should not be used as a basis for holding students back, tracking, or pull-out instruction, and the test results alone should not be used as the basis for referral to special education.

How will the test scores of students with disabilities be reported?

States usually report school and districtwide test scores, as well as individual student scores. Exclusion of students with disabilities from assessment has led to exclusion of many students from these reports. Recent amendments to IDEA require that school systems disaggregate as well as aggregate test scores of students with disabilities. Therefore, consistent with IDEA, states should report the scores of students with and without disabilities together (aggregating the scores), in addition to providing the test scores of students with disabilities separately (disaggregating the scores).

When the scores of students with disabilities and students without disabilities are reported together ("aggregated"), it is clear that the progress of all students will be given equal weight when evaluating the effectiveness of public school systems. At the same time, it is also important to provide mechanisms to separate the scores of students with disabilities in order to hold schools accountable for their achievement. Many states will need to change their reporting practices to comply with new IDEA reporting requirements.

Making an Impact: Strategies for improving your state's assessment policy

✓ ***Obtain copies of your state's education reform and assessment legislation, regulations, and policy documents.***

- Call your state department of education to request these documents. You can also request them from your local legislator.
- Review state documents to determine current policy regarding inclusion of students with disabilities and provision of accommodations.
- Decide whether a change in law or policy is necessary to ensure appropriate inclusion of all students with disabilities in state and districtwide assessment programs with necessary accommodations. You can contact your state's Parent Training and Information (PTI) center,[2] Protection and Advocacy (P&A) organization, disability and children's advocacy organizations, legal services, or the American Civil Liberties Union to request assistance in reviewing your state's law and policy.
- Propose changes to your state law and policy that will address concerns about the inclusion of students with disabilities.
- Work with key stakeholders (other parent and disability organizations, P&As, children's advocacy organizations, state special education advisory committee, etc.) to secure the changes necessary to fully and fairly include all students with disabilities in assessment programs.

✓ ***Identify who will be making policy decisions about participation of students with disabilities.***

- The state department of education or your local legislator can help you determine whether the legislature, state board of education, or department of education will be the leader in this area.

✓ ***Get involved in the decision-making process.***

- If your state or district has an assessment advisory group, join the group, or ensure that parents of children with disabilities, adults with disabilities, and special education and inclusion experts are appointed to the group. The state department of education or your superintendent can inform you whether an advisory group exists.
- Set up meetings with the decisionmakers and provide materials and information to support your positions about the policy questions listed above. Provide proposed language for necessary policy changes, and provide examples of how students with disabilities may be included in the assessment.

[2] To locate the PTI in your state, call the National Information Center for Children and Youth with Disabilities (NICHCY) at (800) 695-0285, or visit the Federation's web site, www.fcsn.org.

✓ ***Consider a variety of advocacy strategies to effect changes in your state policy and practice.***

Any of the following strategies may prove to be useful or necessary: disseminating position papers, proposals, and reports; providing information and training to parents of children with disabilities statewide; meeting with staff at the state department of education; testifying at legislative hearings or before the State Advisory Council (SAC), and state board of education; providing information to media; filing complaints with the Office for Civil Rights or your state department of education; and taking legal action. (Note: Some state departments of education have a process that includes filing complaints at the local level.)

✓ ***Identify other organizations or constituencies with similar concerns and positions.***

Bilingual parent groups, Title I parent groups, PTAs, teacher unions, and educators' professional organizations may prove to be useful allies.

✓ ***Ensure that the organization administering your state's assessment is qualified to assess students with disabilities.***

- Contact the PEER Project or the PTI in your state to get information about contractors and assessments being considered for selection or already chosen by your state. Ascertain the experience and expertise of testers in including students with disabilities in assessments and the appropriateness of proposed tests. You can also call the National Center for Fair and Open Testing (FAIR Test), at (617) 864-4810 for information.
- Develop questions to ask all contractors to ascertain their history and expertise in including students with disabilities. For instance, ask them for the percentage of students with disabilities who have participated in other assessments they have developed. Request policies regarding participation and accommodations for other assessments they administer. Request resumes of the staff who will be involved in the project. Request specific details about the organization's experience including it's experience testing students with significant disabilities.

✓ ***Ensure that participation in assessments is fully addressed at IEP meetings.***

- Work with your local school district or state department of education to ensure that IEPs specifically address participation in state (or districtwide) assessments. IEP members must specify whether the student with a disability can participate in the assessment:

  (1) under routine conditions;
  (2) with accommodations, or
  (3) with an alternate assessment.

  The IEP should state the specific types of accommodations or alternate assessment required.
- Consider whether changes to the IEP form developed by the state department of education or local district would help IEP teams fully and fairly address these issues.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Participation of Students with Disabilities in Education Reform

The Legal Basis

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Participation of Students with Disabilities in Education Reform
The Legal Basis

prepared by the PEER Project

Today there are many national, state, and local school standards-based education reform efforts designed to improve student learning outcomes. The intended result of standards-based education reform is to ensure that all students, including students with disabilities, learn more.

This *Peer Information Brief* provides an overview of the strong legal basis for including students with disabilities in all aspects of education reform. The legal framework is best understood in relation to the four essential steps to standards-based education reform:

1. Set the standards;
2. Develop the curriculum;
3. Design individual courses and instructional strategies; and
4. Assess the performance of schools and all students.

1. Set standards for all children, including children with disabilities

In standards-based education reform, high standards are developed as a first step to improve education. Standards are seen as a way to come to a common understanding of what students should be expected to know. When linked to the curriculum, they provide guidance to teachers about what they should be teaching. While standards differ greatly from state to state, they share a common purpose: they lay out the essential core of knowledge of what students should be expected to know and be able to do. Standards are based on the belief that *all* students can achieve to higher levels if expectations are set high, if standards are clearly defined, and if teaching is designed to support the achievement of students. Most states have already set standards or are in the process of doing so.

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999

Legal Basis for participation of students with disabilities in standards

Individuals with Disabilities Education Act (IDEA)

The *Individuals with Disabilities Education Act Amendments of 1997* (IDEA) emphasize the critical importance of maintaining high standards and expectations for the academic achievement of students with disabilities.[1] IDEA has always required schools to make available to students with disabilities a "free appropriate public education" which *"meet[s] the standards* of the State educational agency"[2] (emphasis added). Thus, a child's special education program must be individually tailored to ensure that the student can achieve state standards. Many provisions of the IDEA amendments underscore the requirement to ensure that children with disabilities have opportunities to achieve the goals of the general curriculum, which will reflect state standards.

Section 504 and the ADA

Two other federal laws, Section 504 of the *Rehabilitation Act of 1973* (Section 504) and Title II of the *Americans with Disabilities Act* (ADA), also require schools to establish a uniform set of standards for all students, including students with disabilities. These laws, which prohibit discrimination on the basis of disability, require schools to provide equal educational opportunities to children with disabilities. Schools violate Section 504 and the ADA regulations whenever students with disabilities are denied the benefits of standards-based education reform. Standards-based education reform aims to attain high quality educational results by identifying desired learning results for students, shaping curricula and instruction accordingly, and holding schools accountable for the results. If states or school systems adopt standards for general education, then students with disabilities have the right to an education based on these same standards. Failure to apply these standards to students with disabilities is discriminatory and denies them "comparable benefits and services."[3]

Goals 2000

States and districts seeking federal funding under the *Goals 2000: Educate America Act* must develop a plan for establishing content and performance standards for "all students."[4] Goals 2000 requires states to ensure that the standards apply to all students. Children with disabilities must fully participate in standards-based education reform with an expectation of achieving high standards.

Title I

Under Title I of the *Elementary and Secondary Education Act of 1965*, federal funds are allocated to school districts serving significant numbers of children who are low-income. Title I requires that a state's standards must apply to all eligible students, i.e., students attending a school-wide Title I program or those students

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

[1] U.S.C. 1400(c)(5), as amended.

[2] See former 20 U.S.C. 1401(a)(18), amended at 20 U.S.C. 1401(8).

[3] 29 U.S.C. 794; 34 C.F.R. 104.4(b)(1), 104.33(b)(1)(i); 28 C.F.R. 35.130(b)(1).

[4] 20 U.S.C. 5802(a)(1), 5881(15), 5882(a), 5886(c)(n).

eligible under Title I who participate in targeted-assistance programs. The standards for students with disabilities and low-income, low-achieving students covered by Title I must be as high as any other standards established by the state.[5]

2. Develop curriculum: ensure students with disabilities participate in general curriculum

States or local districts develop curriculum that embodies the standards. Curriculum describes what learning should be accomplished in specific grades. In some states, standards and curriculum are virtually the same.

Legal basis for participation of students with disabilities in the general curriculum

Individuals with Disabilities Education Act (IDEA)

The 1997 amendments to IDEA contain repeated references to the requirement to include students with disabilities in the general curriculum. The law specifically requires IEP teams to develop concrete strategies for linking IEP goals and objectives to the general curriculum. At least one member of the IEP team must be knowledgeable about the general curriculum. In addition, evaluation and re-evaluations must address the services and interventions necessary for the child to participate, as appropriate, in the general curriculum. Parents must also receive periodic progress reports as often as parents of nondisabled children. These reports must address the child's progress in meeting the goals of the IEP which reflect the general curriculum. They should also report on the extent that progress is sufficient to achieve the goals by the end of the year.

Section 504 and the ADA

Section 504 and the ADA prohibit discrimination on the basis of disability. They also require public elementary and secondary schools to ensure that students with disabilities participate in the general education curriculum. Curriculum is designed to reflect the standards and deliver a quality education. Therefore, students with disabilities must be provided with opportunities to participate fully in the general curriculum with courses and instructional strategies that assist them to achieve the results expected for all other students. Otherwise, they will be denied comparable benefits and services, in violation of Section 504 and the ADA. Programs based on watered-down curriculum and lowered expectations are inconsistent with the requirements of these laws.[6]

Goals 2000

In Goals 2000, Congress emphasizes that *"all* students are entitled to participate in a broad and challenging curriculum"[7] (emphasis added). States applying for Goals 2000 funds must submit a plan

[5] 20 U.S.C. 6311(b)(1)(B), (C), (E).

[6] 34 C.F.R. 104.4(b)(2); 28 C.F.R. 35.130(b)(iii).

[7] 20 U.S.C. 5802(a).

which includes strategies for aligning state or local curriculum with the state standards.[8] The plan must then further describe how all students, including students with disabilities, will increase their educational achievement and meet the goals of the curriculum and standards.

Title I

Title I requires schools to provide all students with a challenging and effective curriculum. The purpose of Title I is to provide students with an "enriched and accelerated educational program," with a challenging academic curriculum.[9] Students should not be taught watered-down curricula.

Rather, all students, including students with disabilities, must participate in high-quality general education curriculum which will teach the academic skills necessary to achieve the state standards.

3. Design individual courses and instructional strategies; ensure students with disabilities receive necessary courses, instruction, supports, and services

Individual schools and teachers decide on the day-to-day content of courses and instruction, including the materials and methods best suited for their students. The courses and instruction are designed to ensure that all students progress in the curriculum and meet the standards.

Legal basis for provision of courses, instruction, supports, and services necessary to progress in general curriculum and achieve standards.

Individuals with Disabilities Education Act (IDEA)

The IEP team, which must now include at least one regular education teacher of the child (if the child is or may be participating in the regular education environment), will determine the need for any additional instructional strategies and services necessary for the child to reach the academic goals and standards established for all children. When IEP goals and objectives reflect the standards and results established through education reform, parents can use the IEP to ensure provision of the instruction and services needed to achieve those goals and objectives. IEPs must now describe the specific special education, related services, supplementary aids and services, program modifications or supports necessary for the child to progress in the general curriculum. The IEP must include specific services provided directly to the child, as well as supports provided to school personnel, (i.e., consultation services) to ensure progress.[10]

[8] 20 U.S.C. 5807(c)(1)(C).

[9] 20 U.S.C. 6301(d).

[10] See 20 U.S.C. 1414(d)(1)(A)(iii) (I) - (III) for additional requirements.

Section 504 and the ADA

These laws require schools to provide the educational services and supports necessary to meet the individual needs of a child with a disability as well as the needs of other students are met.[11] Children must receive the accommodations, modifications, and services necessary to receive equal educational opportunities to participate fully in the general curriculum and achieve the state standards. It is discriminatory for school systems to adopt "criteria or methods of administration"[12] (policies and practices) which limit opportunities for students with disabilities to learn the standards. To avoid such discrimination, school systems must identify and examine any policies or practices that may have the effect of limiting students' access to the courses and instruction necessary to participate fully in the curriculum and meet the standards.

Goals 2000

Under Goals 2000, state improvement plans require that strategies are identified and developed for improving teaching and learning and students' mastery of skills in core content areas. State plans must also include a process for developing the capability of teachers to provide high quality instruction. This could include a process for "developing, selecting or recommending instructional materials, including general equitable and multicultural materials, and technology to provide *all* students the opportunity to meet state . . . standards."[13] Local school improvement plans must also include a strategy for improving teaching and learning.

Title I

Title I requires schools to provide effectively designed individual assistance to students who are having difficulty achieving the state standards. These requirements apply equally to students with disabilities covered by Title I. The law sets up a system, reliant on parent participation, to ensure that students have effective instructional strategies to meet their needs. Instructional strategies in schoolwide programs must identify students who are having difficulty mastering standards and provide effective and timely additional assistance to these students. Increased instructional time, such as extended school year and before or after-school programs are to be considered. Targeted-assistance programs are also required to provide effective instructional strategies and extended learning time.[14]

4. Assess the performance of schools and all students, including students with disabilities

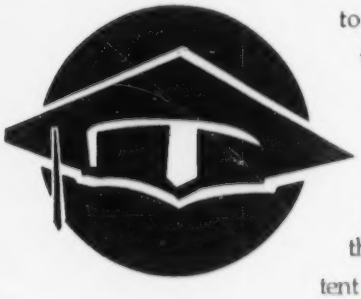
Assessments based on standards are an important step toward being able to measure the actual results of education and hold educators accountable for the results of schooling. In the context of education

[11] 34 C.F.R. 104.4(b)(1), 28 U.S.C. 35.130(b)(1).

[12] 34 C.F.R. 104.4(b)(4); 28 C.F.R. 35.130(b)(3).

[13] 20 U.S.C. 5886(c)(2)(C).

[14] 20 U.S.C. 6314(b), Schoolwide Programs; 6315(c) Targeted Assistance Schools.



reform, assessment refers to tests given to large groups of students. Usually these assessments are "paper and pencil" tests given under uniform conditions that help school districts and states find out how well they have done in teaching students what they are expected to know, i.e., the content and skills set forth in the standards.

In some cases, these tests have "high stakes" for students. Test scores may be used to make decisions about high school graduation or promotion to the next grade. These assessments are different from special education evaluations used to determine an individual child's eligibility for special education and the child's specific learning needs.

Legal basis for participation of students with disabilities in state and districtwide assessments.

Individuals with Disabilities Education Act (IDEA)

The 1997 amendments to IDEA recognize the importance of assessment as a way to improve educational results for students with disabilities. Therefore, IDEA requires the participation of students with disabilities in state and districtwide assessment programs. Every child's IEP must now address participation in state or districtwide assessments of student achievement. Students with disabilities have a right to receive accommodations and individual modifications in the administration of state and districtwide assessments necessary to participate in assessments.

For a relatively small percentage of students, usually those with more complex disabilities, the IEP team may decide an alternate assessment is necessary. The state department of education must make available to the public and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, among other data, the performance of children with disabilities on regular assessments (beginning not later than July 1, 1998) and on alternate assessments (not later than July 1, 2000) if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual children.

The IEP team must decide how a child with a disability will participate in the assessment: under usual conditions (without accommodations); with accommodations, as specified in the IEP; or with an alternate assessment. The scores of students with disabilities must be reported together with the scores of all other students as well as separately, in order to track the progress of different groups of students.[15]

Section 504 and the ADA

Section 504 and the ADA provide protections which ensure that students with disabilities participate in the assessment process. The purpose of education reform assessments is to gather information that shows whether schools are successfully teaching students the standards. With exclusion from assessment, schools are

[15] 20 U.S.C. 1414(d)(1)(A)(v)(I-II); 1412(a)(17).

not held accountable for the quality of education students with disabilities receive. Excluded students are denied the benefits of this critical aspect of education reform, in violation of the requirement to provide comparable benefits and services. These laws also require schools to provide any reasonable accommodations necessary to participate in assessments.

Goals 2000

Goals 2000 requires states to develop a plan for implementing state assessments which are aligned with the state's standards. All students, including students with diverse learning needs must participate in the state assessment. Adaptations and accommodations must be provided if necessary.[16]

Title I

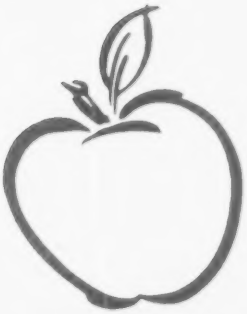
Title I requires states to develop assessments in order to keep track of how well districts and schools are teaching students to meet state standards. Students with disabilities covered by Title I are entitled to participate in the state assessments required by this law. Schools musts provide students with disabilities with accommodations necessary for testing. Any school operating a schoolwide program is required to conduct a comprehensive needs assessment of all students, including students with disabilities, based on their performance in meeting state standards.[17]

[16] 20 U.S.C. 5886(c)(1)(B).

[17] 20 U.S.C. 631(b)(3)(F)(i), (ii), 6315(b)(3)(1).

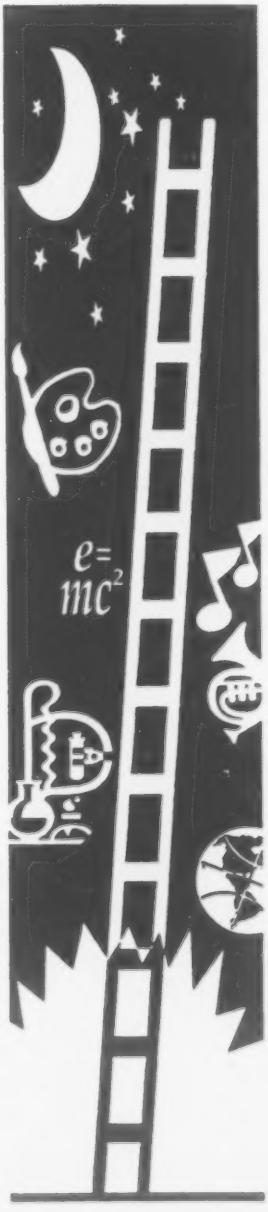
© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.



PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs



Opportunity to Learn and Education Reform

Ensuring Access to Effective Education for All Students

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Opportunity to Learn and Education Reform

Ensuring Access to Effective Education for All Students

prepared by Kathleen B. Boundy, J.D.
Center for Law and Education, Boston, Massachusetts

PEER

Introduction

Today states and school districts throughout the nation are at different stages in implementing standards-based education reform. Standards-based education reform is designed to improve the quality of students' educational outcomes by setting standards based on desired knowledge and competencies, aligning curricula and instruction with the standards, measuring whether schools and local educational agencies (LEAs) are making progress toward enabling all students to meet the challenging standards, and holding them publicly accountable, in part, through reporting requirements. Consistent with Title I of the *Elementary and Secondary Education Act*,[1] *Goals 2000: Educate America Act*[2] and many state education reform statutes, these content and performance standards apply to all students. There is no exception for students who are educationally and economically disadvantaged, have limited English proficiency, or have mild, moderate, or severe disabilities.[3] Once a standards-based education strategy is adopted by a state under either federal or state law, the strategy must be applied to the education of all children. Any failure to provide students with disabilities its benefits violates their civil rights.[4]

Content and performance standards adopted by states and sometimes individual school districts describe what students are expected to know and be able to do. After content and performance standards are developed and agreed upon, schools must align curricula and instruction with the standards. Through large-scale assessments, it is possible to measure the progress schools and LEAs are making toward enabling all students to meet the challenging standards. Assessment based on the standards is a way to hold schools accountable, provide teachers with information about the curriculum, methods of instruction, and inequities in resources – all of which contribute to children being

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999

denied access to learning opportunities. If appropriately developed and used, individual assessments may also provide teachers and parents with feedback about how individual children are progressing in reaching the standards that all students are expected to meet.

This *PEER Information Brief* discusses "opportunity-to-learn" requirements, another key component of standards-based education reform. Standards and assessments can bring about meaningful educational change only if combined with requirements that ensure *all* students' access to learning and to the kind of learning opportunities they need to reach the standards being measured.

Opportunity to Learn, or Ensuring Access to Knowledge

Opportunity-to-learn requirements address strategies, services, and supports designed to ensure that all students have a fair chance to learn the knowledge and skills set forth in the state standards. Opportunity-to-learn requirements can include:

- curricula modified as needed to achieve state standards,
- instructional materials and methods,
- class size and structure,
- individual assistance,
- supportive services,
- teacher training,
- professional development,
- adequate funding, and
- teacher self-assessments and peer reviews of practice to monitor the use of appropriate interventions.

The above supports are needed for students to have equal access to high quality education. Unless equity concerns are addressed, inequities created, for example, by poor curriculum, tracking, inadequate funding, and unqualified teachers will persist and increase with implementation of standards-based reform. To ensure equity and excellence for all students and to close the achievement gap between advantaged and disadvantaged students, schools must address opportunity-to-learn requirements.

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

Goals 2000: Educate America Act

The 1994 enactment of *Goals 2000: Educate America Act* marked the culmination of an earlier legislative effort begun by President Bush and initially spearheaded by the National Governors Association led by then Governor William Clinton. Although Congress chose not to enact enforceable opportunity-to learn standards, Goals 2000 has stimulated state efforts to improve educational results for students

by pushing states, as a condition for receiving federal funds, to adopt learning standards. Under Title III of Goals 2000, state improvement plans require strategies to be identified and developed for improving teaching and learning and students' mastery of basic and advanced skills in core content areas. The state improvement plan must include content and performance standards for all students. Furthermore, they must demonstrate that state assessments, curricula, instructional materials, teacher training, monitoring, and accountability measures are all aligned with and designed to enable students to attain the content and performance standards.

Ninety percent (90%) of a state's Goals 2000 funding passes through to local school districts. To receive the funds, school districts must compete for grants to implement local school improvement plans. The local plans must "reflect the state improvement plan priorities" and "include a strategy for –

1. ensuring that all students have a fair opportunity to learn;
2. improving teaching and learning;
3. improving governance and management;
4. generating, maintaining, and strengthening parent and community involvement; and
5. expanding improvements throughout the local educational agency."[5]

School districts must use 85% of the funds to develop and implement individual school improvement plans. A minimum of half the funds received by the local school districts must be distributed to schools serving high percentages of low-income and/or low-achieving students.[6]

Title I of the Elementary and Secondary Education Act

Title I, a program that allocates federal funds to school districts serving significant numbers of children who are from areas with high concentrations of low-income families, contains more rigorous opportunity-to-learn requirements than Goals 2000. It requires participating schools to work in partnership with parents to provide:

- an accelerated and enriched curriculum,
- high quality teaching staff, who have opportunities for professional development, and
- effective intervention for students having trouble meeting the high standards.[7]

Amended in 1994, Title I imposes duties on states, school districts, and schools that establish a framework for education reform:

- high state standards,
- programming that pertains to school readiness,
- curriculum,
- instructional methods,
- program structure,

- staff training and professional development,
- individual assistance,
- performance assessment, and
- improvement and enforcement activities.

Under Title I, any standards that a state has already adopted or is developing, for example under state education reform or Goals 2000, must apply to all students.[8] In other words, the standards expected to be attained by students with disabilities and low-income, low-achieving students covered by Title I must be as high as any other standards established by the state. Schoolwide programs must identify individual students having difficulty mastering any of the identified standards and provide identified students with timely and effective assistance.[9] Schoolwide and targeted-assistance programs must demonstrate sufficient gains in the performance of all students being served, including students with disabilities and students who are low-income or have limited English proficiency.[10]

Under Title I, states must implement valid, multiple methods for assessing each child, at least annually, to determine the child's extent of mastery of the standards.[11] If schools or districts fail to make sufficient annual progress to enable students to reach proficient and advanced levels of performance,[12] they must develop and implement improvement steps.[13] School-parent compacts and school plans, jointly developed with parents, must describe what the school will provide (the opportunities to learn) to assist the students to meet the standards, how teachers and parents will communicate, and how the parent will support student learning. The district plan identifies how staff development and technical assistance are to be provided.[14]

State Constitutional Provisions and State Education Reform Statutes

Opportunity-to-learn requirements can also be derived from the requirements of some state constitutions and state education reform statutes. Students' right to quality education can be found in most state constitutions, frequently as a duty to provide an "adequate" or "thorough and efficient" public education. These constitutional requirements have often been raised when a state's system of financing public education has been challenged in court. In this context, the highest courts of numerous states have said that the education clauses of their state constitution define a constitutional right to education that is not limited to school finance.

For example, in *Rose v. Council for Better Education, Inc.*,[15] the Kentucky Supreme Court found that children have a constitutional right to an adequate education. The court also defined an "adequate education" as one which develops the following seven capabilities:

- communication skills necessary to function in a complex and changing civilization;
- knowledge to make economic, social, and political choices;
- understanding of governmental processes as they affect the community, state, and nation;
- sufficient self-knowledge and knowledge of one's mental and physical wellness;
- sufficient grounding in the arts to enable each student to appreciate his or her cultural and historical heritage;
- sufficient preparation to choose to pursue one's life work intelligently; and
- skills enabling students to compete favorably with students in other states.[16]

The court held that sufficient funding is necessary to provide each child an adequate education. Following the decision, the legislature enacted the *Kentucky Education Reform Act* establishing a detailed standards-based reform framework. Kentucky provides a good example of how successful state constitutional litigation can spawn state legislative standards.

Section 504 and the Americans with Disabilities Act

For almost 25 years, under the *Individuals with Disabilities Education Act (IDEA)*, students with disabilities have been guaranteed the right to have available to them a free, appropriate public education, to participate, to the maximum extent appropriate, and to be educated in regular classes with their nondisabled peers.[17] Moreover, students with disabilities have certain parallel rights, as well as the right not to be discriminated against, under Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act* (ADA). Under these civil rights laws and their regulations, it is illegal for schools to discriminate on the basis of disability by, for example:

- denying a student the opportunity to participate in or benefit from an aid, benefit, or service.
- providing an opportunity to participate or benefit from an aid, benefit, or service that is unequal to the opportunity provided others;
- providing an aid, benefit, or service that is not as effective as that provided to others; or
- providing different or separate benefits or services, unless it is necessary to provide aid, benefits, or services that are as effective as those provided to others[18]

In the context of standards-based education reform, these laws can be used to require states and school districts to assist students with disabilities to master the core curriculum that is aligned to the standards set for all students. When students with disabilities do not receive an appropriate education "consistent with state education agency

standards"[19] and are denied "specialized instruction" with such supplementary aids and services as needed to benefit from the general curriculum aligned to the standards set for all students, their rights under Section 504, ADA, and IDEA are violated.[20]

Individuals with Disabilities Education Act (IDEA)

In enacting the *IDEA Amendments of 1997*, Congress expressly emphasized the provision of high quality education to students with disabilities through their participation in the general curriculum[21] and standards-based education reform.[22] Students with disabilities must be provided an opportunity to be involved and progress in the general curriculum, and must be provided with appropriate accommodations, modifications, and services consistent with their individual needs, to facilitate their involvement and progress. Significantly, in IDEA (§1412(a)(5)(A)) the right to be educated in the regular educational environment to the maximum extent appropriate embraces access to what is taught in the regular classroom as well as physical presence. Therefore, all students with disabilities, including students in restrictive programs, must be given meaningful opportunities to participate in the general curriculum. Furthermore, states must establish goals for the performance of students with disabilities that "are consistent, to the maximum extent appropriate, with other goals and standards for children established by the state."[23] This means that states cannot establish separate and weaker standards for students with disabilities. Rather, each state must set "performance indicators" to assess how it is doing in educating students with disabilities. At a minimum the state's indicators must include performance on assessments, drop-out rates, and graduation rates. Every two years the state must report its performance on meeting these indicators.[24]

The *IDEA Amendments of 1997* underscore that a student's Individualized Education Program (IEP) is a critical tool for attaining state content and performance standards. Consequently, the IEP must be designed to address the student's disability-related educational needs as necessary to enable the child to meet the standards established by the state for all students. In developing a student's IEP, consideration must be given to the full range of special education instructional supports and supplementary aids and services necessary to enable the student to learn what all other students are expected to know and be able to do.[25] More specifically, under the *IDEA Amendments of 1997*, the IEP must include, for example, a statement of:

- the child's present level of educational performance, including how the student's disability affects involvement and progress in the general curriculum;
- measurable annual goals, including benchmarks or short-term objectives that will enable the child to be involved and progress in the general curriculum;
- special education and related services and supplementary aids and services the student needs to be involved and progress in the general

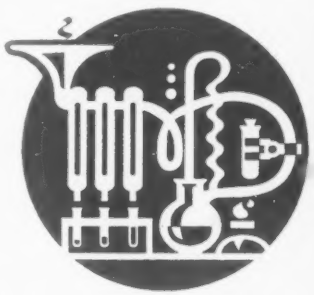
curriculum and reach other IEP goals;

- program modifications and supports for school personnel (teachers, aides, etc.) that are necessary to ensure that the student advances appropriately toward attaining the IEP goals and progresses in the general education curriculum; [26] and
- modifications in the administration of state or districtwide assessments of student achievement.[27]

In addition, special education evaluation and re-evaluation must include information about the special education, related services, and strategies necessary for a student with a disability to be involved and progress in the general curriculum.[28] Similarly, in IEP reviews, the IEP team must address the child's lack of expected progress toward the annual goals and in the general curriculum, where appropriate.[29] This requirement helps to ensure that IEP teams continually address the services, strategies, and supports necessary for the student to attain the standards.

Generally, parents of children with disabilities will be better able to monitor whether schools are providing their children an opportunity to learn the standards with the periodic progress reports required by IDEA. Schools must inform parents of children with disabilities, on a periodic basis, about their child's progress in meeting the goals of the general curriculum and in meeting all other IEP goals and objectives. Schools must also indicate the extent to which that progress is sufficient to enable the child to achieve the IEP goals by the end of the year. Parents must be regularly informed at least as often as parents of nondisabled children are informed about their children's progress.

Finally, states can apply for state improvement grants under the *IDEA Amendments of 1997* specifically for the purpose of "improv[ing] educational and transitional services and results for children with disabilities" to respond to demands from changing demographics, social policies, labor, and economic markets,[30] as well as to assist the state to "facilitate lasting systemic change" of benefit to all students.[31]



Endnotes

1 20 U.S.C. 6301 *et seq.*

2 20 U.S.C. 5801 *et seq.*

3 20 U.S.C. 6301(b)(3), 6312(b)(1), 6315(b)(2)(A), 20 U.S.C. 5802(a)(1), 5881(15), 5881(15), 5882(a), 5886(c), (n).

4 *Individuals with Disabilities Education Act Amendments of 1997*, 20 U.S.C. 1412(a)(16), (17); Section 504 of the *Rehabilitation Act of 1973*, 34 C.F.R. 104.4(b)(1), 104.33(b)(1)(i); and the *Americans with Disabilities Act*, 28 C.F.R. 35.130(b)(1).

5 20 U.S.C. 5889(a)(3) (emphasis added).

6 20 U.S.C. 5894.

7 20 U.S.C. 6314, 6315, and 6319.

8 See 20 U.S.C. 6311 (b)(1)(B), (C).

9 20 U.S.C. 6301(d); 20 U.S.C. 6314(b)(1)(H).

10 20 U.S.C. 6314(b)(1)(H)(i); 6314(b)(1)(B); 6315(c).

11 20 U.S.C. 6311(b).

12 20 U.S.C. 6311(b)(2)(B)(i).

13 20 U.S.C 6314(b)(1)(H)(iii);20 U.S.C. 6315(c)(2)(B).

14 20 U.S.C. 6319(a)(2).

15 790 S.W.2d 186 (Ky. 1989).

16 Id., at 198.

17 20 U.S.C. 1412(a)(5)(A).

18 34 C.F.R 104.4(b)(i)–(iv); 34 C.F.R. 104.4(b); 28 C.F.R. 35.130(b)(1)(ii)-(iv); 28 C.F.R. 35.130(b)(3).

19 As defined under 20 U.S.C. 1401(8)(B), (C) a "free appropriate public education" requires special education and related services that "meet the standards of the State education agency" and "include an appropriate preschool, elementary, or secondary education in the State involved."

20 34 C.F.R. 104.4(b)(1) prohibits the provision to students with disabilities of "an aid, benefit or service that is not as effective as that provided to others."

21 20 U.S.C. 1414(d).

22 20 U.S.C. 1451(a)(6), 1471(a).

23 20 U.S.C. 1412(a)(16).

24 20 U.S.C. 1412(a)(17).

25 20 U.S.C. 1401(8)(B), 1401(11), 1414(b)(2), (c)(B)(iv), 1414(d)(1)(A), 1412(a)(14), incorporating by reference 20 U.S.C. 1453(c)(3)(D)(vii). 1413(a)(3)(A).

26 20 U.S.C. 1414(d)(1)(A)(i) - (iii).

27 20 U.S.C 1414(d)(1)(A)(v)(I).

28 20 U.S.C. 1414(b)(2), (c)(1)(B)(iv).

29 20 U.S.C. 1414(d)(4)(A).

30 20 U.S.C. 1451(a)(1).

31 20 U.S.C. 1451(a)(2).

Bibliography/Resources

Clune, W. H. (May, 1997). Building A Systemic Remedy for Educational Adequacy: Starting with What We Know. *Education and Urban Society*, (29)(3), 342-354.

Darling-Hammond, L. (1997). *The Right to Learn: A blueprint for creating schools that work.* San Francisco: Jossey-Bass Publishing.

Newman, F.J. & Wehlege, G. (1995). *Successful School Restructuring.* Madison, WI: Wisconsin Center for Educational Research, University of Wisconsin-Madison.

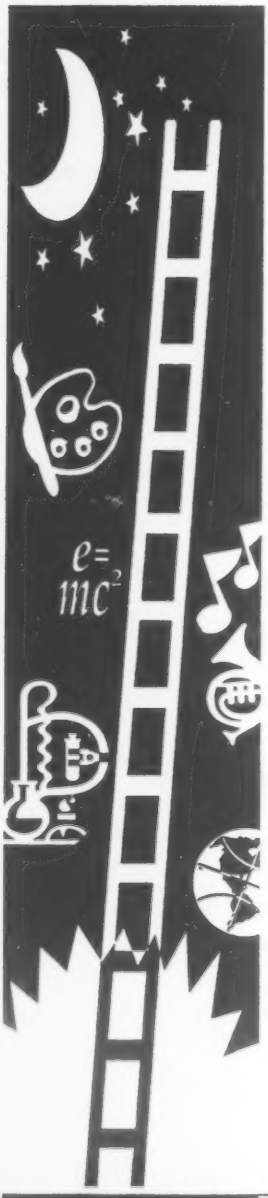
Weckstein, P. (forthcoming). School Reform and Enforceable Rights to Quality Education. In J. Heubert, (Ed.), *School Reform: the Role of Law, Lawyers and Legal Institutions.* New Haven: Yale University Press.

© 1999 The Federation for Children with Special Needs, Inc. and Center for Law and Education. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Fact Sheet

Opportunity to Learn Fact Sheet



☑ Opportunity to learn requirements

"Opportunity-to-learn" requirements are a key component of standards-based education reform. Standards-based education reform is the term used to describe efforts across the nation to improve education by first setting standards. Standards are seen as a way to raise student achievement by specifying what students should be learning and what teachers should be teaching. Schools are judged based on the actual achievement of students, with large-scale assessments focused on educational results. However, standards and assessments can bring about meaningful educational change only if combined with requirements that ensure that *all* students' have access to the kind of learning opportunities they need to reach the standards.

Opportunity-to-learn requirements address strategies, services, and supports designed to ensure that all students have a fair chance to learn the knowledge and skills set forth in the state standards. Opportunity-to-learn requirements can include:

- ✓ curriculum modified to achieve standards,
- ✓ instructional materials and methods,
- ✓ class size and structure,
- ✓ individual assistance,
- ✓ supportive services,
- ✓ teacher training,
- ✓ professional development,
- ✓ adequate funding, and
- ✓ teacher self-assessments and peer reviews.

Schools must address these requirements to ensure equity and excellence for all students and to close the achievement gap between students with and without disabilities.

PEER

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs** © 1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

Goals 2000

To receive federal funds under *Goals 2000: Educate America Act*, state improvement plans must set forth strategies for improving teaching and learning and increasing students' mastery of basic and advanced skills. States must demonstrate that they will provide curricula, instructional materials, teacher training, assessments, and accountability measures designed to enable all students, including students with disabilities, to achieve the standards. Similarly, local school improvement plans must include strategies for improving teaching and learning that will ensure that all students have a fair opportunity to learn.

Title I of the *Elementary and Secondary Education Act*

Title I is a program that allocates federal funds to school districts serving significant numbers of children who are from areas with high concentrations of low-income families. Title I contains rigorous opportunity-to-learn requirements which apply to students with disabilities covered by the program. This law requires participating schools to work in partnership with parents to provide, among other things:

- ✓ an accelerated and enriched curriculum,
- ✓ high quality teaching staff, and
- ✓ effective intervention for students having trouble meeting the standards.

Amended in 1994, Title I imposes duties on states, school districts, and schools to ensure that each of the following interrelated components are in place. Taken together these components provide a framework for reform:

- ✓ high state standards,
- ✓ individual assistance,
- ✓ curriculum and instructional methods,
- ✓ programming that pertains to school readiness,
- ✓ program structure,
- ✓ staff training and professional development,
- ✓ performance assessment, and
- ✓ improvement and enforcement activities.

Title I programs must demonstrate sufficient gains in the performance of all students being served, including students with disabilities and students who are low-income or have limited English proficiency.

☑ State constitutional provisions and state education reform statutes

Opportunity-to-learn requirements can also be derived from the requirements of some state constitutions and state education reform statutes. Students' right to quality education can be found in most state constitutions, frequently as a duty to provide an "adequate" or "thorough and efficient" public education. The highest courts of many states have said that the education clauses of their state constitutions define a constitutional right to education. These constitutional requirements have often been raised when a state's school finance system has been challenged in court. However, the constitutional right to a quality education is not limited to school finance. For example, in Kentucky, successful state constitutional litigation led the legislature to enact a detailed standards-based education reform law.

☑ IDEA, Section 504, and the Americans with Disabilities Act

With the *Individuals with Disabilities Education Act Amendments of 1997* (IDEA), Congress emphasized the provision of high quality education. Students with disabilities must be provided an opportunity to be involved and progress in the general curriculum, and must be provided with appropriate accommodations, modifications, and services consistent with their individual needs, to facilitate their involvement and progress. The Individualized Education Program (IEP) must specify the special education instruction, related services, and supplementary aids and services necessary to provide the student the opportunity, as appropriate, to learn what all other students are expected to learn.

Under the *IDEA Amendments of 1997*, the IEP must include, for example, a statement of:

- ✓ the child's present level of educational performance, including how the student's disability affects involvement and progress in the general curriculum;
- ✓ measurable annual goals, including benchmarks or short-term objectives, that will enable the child to be involved and progress in the general curriculum;
- ✓ special education and related services, and supplementary aids and services the student needs to be involved and progress in the general curriculum and reach other IEP goals;
- ✓ program modifications and supports for school personnel (teacher, aides, etc.) that are necessary to ensure that the student advances appropriately toward attaining the IEP goals and progresses in the general curriculum; and
- ✓ modifications in the administration of state or districtwide assessments of student achievement.[1]

Special education evaluations, re-evaluations,

[1] For specific IEP content, see section 1414 of IDEA.

opportunity to learn

IEP reviews, and parent progress reports must now address the student's progress in the general curriculum. These new requirements in IDEA help to ensure that IEP teams continually address the services, strategies, and supports necessary for the student to have an opportunity to learn and attain the standards.

Students with disabilities have parallel rights under Section 504 of the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act* which prohibit discrimination on the basis of disability. These laws can also be used to require schools to provide the specialized instruction and supplementary aids and services a student needs to benefit from the general curriculum and standards.

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Opportunity to Learn and Education Reform: Ensuring Access to Effective Education for All Students," by Kathleen B. Boundy, J.D., Center for Law and Education, Boston.

© 1999 The Federation for Children with Special Needs, Inc. and Center for Law and Education. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Section 504, the Americans with Disabilities Act, and Education Reform

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Section 504, the Americans with Disabilities Act, and Education Reform

prepared by the PEER Project

Introduction

In implementing education reform initiatives, public schools and school systems must abide by Section 504 of the *Rehabilitation Act of 1973* (Section 504) and Title II of the *Americans with Disabilities Act* (ADA) which prohibit discrimination on the basis of disability. Section 504 prohibits recipients of federal funds from discriminating on the basis of disability. Title II of the ADA prohibits discrimination on the basis of disability in state and local government services by state and local governmental entities, whether or not they receive federal funds. This includes public school districts. Virtually all public school systems receive federal funds, and public education is a government service. Both statutes require school districts to provide a free appropriate public education (FAPE) to students with disabilities protected by those laws.

Education reform initiatives, of course, vary from state to state, and sometimes from community to community. There is one kind of initiative, however, that is common nationwide. This approach, known as "standards-based" education reform, has four basic components. **First,** standards are set for what students should know and be able to do at various grades. **Second,** curricula are designed, guided by the standards. **Third,** based on the curricula, teachers design individual courses and instructional strategies, including the materials and methods best suited for their students. **Fourth,** students are assessed at different points in their school career to determine how well schools are doing at enabling them to meet the standards. The results of these assessments are then used to hold schools accountable for how well they are educating their students.

The theory behind standards-based education reform is that by setting high standards, shaping curriculum and instruction to meet them, and holding schools accountable for how well students meet the standards, educational quality will rise for all students. This *PEER Information Brief* examines how Section 504 and the ADA should work to ensure that students with disabilities

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs, Boston, MA** © 1999

enjoy the benefits of these reforms, and the quality education they aim for.

It begins with a discussion of key concepts under Section 504 and the ADA (and the federal regulations implementing these laws), and then applies these concepts to the basic components of standards-based education reform: (1) standards; (2) curriculum; (3) individual courses, instructional strategies, and materials; and (4) assessment for school accountability.

Key Concepts Under Section 504 and the ADA

1. Comparable Benefits and Services

Section 504 and Title II of the ADA are broad civil rights statutes designed to promote equal access to and participation in programs and services. The regulations implementing these laws require that students with disabilities receive benefits and services comparable to those given their nondisabled peers. Specifically, these laws make it illegal for schools to discriminate on the basis of disability by —

- denying a student the opportunity to participate in or benefit from a benefit or service,
- providing an opportunity to participate or benefit that is unequal to that provided others,
- providing a benefit or service that is not as effective as that provided to others,
- providing lower quality benefits, services or programs than those provided others, or
- providing different or separate benefits or services, unless it is necessary to provide benefits or services that are as effective as those provided to others.[1]

For benefits or services provided to be "equally effective," they must afford students with disabilities an equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement as other students.[2]

The Section 504 regulations require that school systems receiving federal funds provide a free appropriate public education to children with disabilities in accordance with the Section 504 requirements regarding least restrictive setting, evaluation and placement, and procedural safeguards. FAPE under Section 504 means that the education provided to students with disabilities must meet those students' needs as adequately as the needs of nondisabled students are met.[3]

2. Criteria and Methods of Administration

It is illegal under the Section 504 and ADA regulations for school systems to use policies and practices that, intentionally or not, result in discrimination.[4] The regulations

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

[1] 34 C.F.R. §104.4(b)(1) (§504 regulation); 28 U.S.C. §35.130(b)(1) (ADA regulation).

[2] 34 C.F.R. §104.4(b)(2); 28 C.F.R. §35.130(b)(iii).

[3] 34 C.F.R. §104.33.

[4] 34 C.F.R. §104.4(b)(4); 28 C.F.R. §35.130(b)(3).

for both Section 504 and ADA use the term "criteria and methods of administration." "Criteria" are written or formal policies; "methods of administration" are the school system's actual practices and procedures. The ban on discriminatory policies, practices, and procedures includes those that:

- have the effect of discriminating against students with disabilities, or
- have the effect of defeating or impairing accomplishment of the objectives of the education program (or school reform initiative) in regard to students with disabilities.

3. Reasonable Accommodations

In meeting the responsibilities to students with disabilities under Section 504 and Title II of the ADA, school systems must make accommodations and modifications to address the needs of students with disabilities.[5] Making accommodations and modifications means changing the way things are usually done in order to take into account a child's disability-related needs. Examples of accommodations and modifications include modifying rules, policies or practices; removing architectural or communication barriers; or providing aids, services, or assistive technology.

4. Maximum Feasible Integration

Under Section 504, children with disabilities must be educated with their non-disabled peers "to the maximum extent appropriate," and "removal . . . from the regular educational environment" occurs "only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily."[6] The ADA regulations similarly provide that a public entity, such as a school system, "shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities."[7] Schools have the burden of demonstrating that any removal from regular education is appropriate.[8]

Key Legal Concepts & Standards-Based Education Reform

Using Standards as a Strategy for Reform

Standards-based education reform aims to attain high quality educational outcomes by identifying desired learning outcomes for students, shaping curricula and instruction accordingly, and holding schools accountable for the results. If a state or school system adopts standards for general education,

[5] See 42 U.S.C. 12131(2); 34 C.F.R. 104.4(b); 28 C.F.R. 35.130(b)(7); Alexander v. Choate, 469 U.S. 287, 300-01 (1985); Thomas v. Davidson Academy, 846 F. Supp. 611 (m.D. Tenn. 1994).

[6] 34 C.F.R. §104.34(a).

[7] 28 C.F.R. §35.130(d). See also 28 C.F.R. §35.130(b)(2) ("[a] public entity may not deny a qualified individual with a disability the opportunity to participate in services, programs, or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities").

[8] 34 C.F.R. §104.34(a).

BEST COPY AVAILABLE

then students with disabilities have the right to an education based on these same standards. Failure to apply standards to students with disabilities is a failure to provide "comparable benefits and services." Schools violate Section 504 and ADA regulations whenever students with disabilities are denied the benefits of education reform standards.[9]

Linking Curriculum, Courses, and Instructional Strategies to the Standards Set for All Students

Standards in standards-based education reform define some of the outcomes of a quality education. The curriculum is then designed to reflect the standards and deliver that quality education. The goal of education reform is to make sure that students learn the curriculum which reflects the standards. Therefore, students with disabilities, like all other children, must be provided with courses and instruction that teach the curriculum. Otherwise, they will be denied comparable benefits and services, in violation of Section 504 and the ADA. For some students, the method of teaching some or all of the curriculum may need to be modified, perhaps as a reasonable accommodation, or as a supplementary aid or service necessary for maximum feasible participation in regular education. For a small number of students who have significant disabilities, it may be necessary to modify, adapt, or expand the curriculum or instruction to provide access to the standards. These decisions must be made on an individual basis, and based upon valid and competent individualized educational evaluations.

Further, it is also discriminatory for school systems to adopt "criteria or methods of administration" (policies and practices) which limit opportunities for students with disabilities to learn the standards. To avoid such discrimination, school systems must identify and examine any policies or practices that may have the effect of limiting students' access to the courses and instruction necessary to learn the curriculum and meet the standards. Depending upon the circumstances, any number of policies and practices might have this effect. Examples include lack of coordination (in terms of both scheduling and content) between pull-out programs, such as resource rooms, and the mainstream academic curriculum; providing a diluted curriculum in separate programs and classes for students with disabilities; and failing to integrate special education supports and related services into regular education classes.

Using Assessment for School Accountability

Assessment is key to ensuring that school reform initiatives actually deliver quality education. The purpose of these assessments, often called "large-scale assessments," is to gather information that shows

[9] In addition, 1997 amendments to the Individuals with Disabilities Education Act require states to develop "performance goals and indicators" for children with disabilities that are consistent, to the maximum extent appropriate, with the standards set by the state for all students. 20 U.S.C. §1412(a)(16).

BEST COPY AVAILABLE

whether schools are successfully teaching students the standards. This information is then used to identify weaknesses in schools and to make necessary improvements. Assessment is the way that standards-based education reform holds schools accountable for student learning and achievement.

Historically, students with disabilities have been excluded from such assessments in large numbers. As a result, information about the achievement of these students is often missing when the effectiveness of school programs and services is evaluated and decisions about policies and reform initiatives are being made. With exclusion from assessment, schools are not held accountable for the quality of education students with disabilities receive. These students are denied the benefit of this critical aspect of standards-based education reform in violation of the requirement to provide comparable benefits and services under Section 504 and the ADA.

These civil rights laws require not only that students with disabilities take part in these accountability assessments, but that they receive any reasonable accommodations necessary to participate.

For many students, participation in assessment will not require any changes in the way that the assessment is given. Other students will require accommodations such as extra time for the assessment or materials in a different format (e.g., written materials in Braille, or a reader) in order to participate. A small number of students may require a different type of assessment (an "alternate assessment") to demonstrate their knowledge and skills in a nondiscriminatory manner. For example, some students may need a "hands-on" test using models rather than a pencil and paper test to show their understanding of geometry, and some students may require a portfolio assessment.

The PEER Project gratefully acknowledges the contributions of staff attorneys at the Center for Law and Education in preparation of this *Information Brief*. The PEER Project drew heavily on their work and legal analysis.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

10 2 BEST COPY AVAILABLE

PEER Fact Sheet

Section 504, ADA, and Education Reform
Fact Sheet

Public schools, school systems, and education reform initiatives must comply with Section 504 of the *Rehabilitation Act of 1973* (Section 504) and Title II of the *Americans with Disabilities Act* (ADA) which prohibit discrimination on the basis of disability. Section 504 prohibits discrimination on the basis of disability by recipients of federal financial assistance, including *Individuals with Disabilities Education Act* (IDEA) funds. Title II of the ADA prohibits discrimination on the basis of disability by state and local governmental entities, including public school districts. Virtually all public school systems receive federal funds, and school districts are considered local governmental entities. Both statutes require school districts to provide a free appropriate public education (FAPE) to students with disabilities protected by those laws.

In short, both statutes provide that no person shall, by any reason of his or her disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any services, programs, or activities of an entity covered by the law. The Office of Civil Rights (OCR) interprets the requirement of Title II of the ADA as consistent with those of Section 504. In addition to covering students who receive FAPE under Part B of IDEA, Section 504 also applies to a student not eligible for special education and related services under Part B, but who has a disability within the meaning of Section 504.

Section 504 and the ADA can help ensure that students with disabilities enjoy the benefits of standards-based education reforms and the quality education they aim for. The theory behind standards-based education reform is that educational quality will rise for all students, by first setting high standards, then shaping curriculum, courses, and instruction to meet the standards, and finally holding schools accountable for student achievement.

PEER

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs** © 1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

☑ Key concepts under Section 504 and the ADA

1. Comparable Benefits and Services

Section 504 and the ADA promote equal access to and participation in programs and services. The regulations implementing these laws require that students with disabilities receive benefits and services comparable to those given their nondisabled peers. These laws make it illegal for schools to discriminate on the basis of disability by—

- ✓ denying a student the opportunity to participate in or benefit from a benefit or service;
- ✓ providing an opportunity to participate or benefit that is unequal to that provided others;
- ✓ providing a benefit or service that is not as effective as that provided to others (does not provide an equal opportunity to obtain the same result, gain the same benefit, or reach the same level of achievement as other students);
- ✓ providing lower quality benefits, services or programs than those provided others; or
- ✓ providing different or separate benefits or services, unless they are necessary for benefits or services to be as effective as those provided to others.[1]

The Section 504 regulations specifically require that a recipient of federal funds that operates a public elementary or secondary education program must provide a free appropriate public education to each qualified child with a disability residing in the recipient's jurisdiction in accordance with the Section 504 requirements regarding least restrictive setting, evaluation and placement, and procedural safeguards. FAPE under Section 504 means that the education provided to students with disabilities must meet those students' needs as adequately as the needs of nondisabled students are met.[2]

2. Criteria and Methods of Administration

It is illegal under the Section 504 and ADA regulations for school systems to use "criteria and methods of administration" that, *intentionally or not*, result in discrimination. "Criteria" are written or formal policies, while "methods of administration"[3] are the school system's actual practices and procedures. The ban on discriminatory policies, practices, and procedures includes those that:

- ✓ have the effect of discriminating against students with disabilities, or
- ✓ have the effect of defeating or impairing accomplishment of the education program objective (or school reform initiative) with regard to students with disabilities.

3. Accommodations

In meeting their responsibilities to students with disabilities under Section 504 and Title II of the ADA, school systems must make accommodations and modifications to address the needs of students with disabilities. Making

[1] 34 C.F.R. 104.4(6)(1) - Section 504 regulations; 28 U.S.C. 35.130(b)(1) - ADA regulations.

[2] 34 C.F.R. 104.33.

[3] 34 C.F.R. 104.4(6)(4); 28 C.F.R. 35.130(6)(3).

accommodations and modifications means changing the way things are usually done in order to take into account a child's disability-related needs. Examples of accommodations and modifications include modifying rules, policies or practices; removing architectural or communication barriers; or providing aids, services, or assistive technology.

Under Section 504, children with disabilities must be educated with their nondisabled peers "to the maximum extent appropriate," and "removal ... from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily."[4] The ADA regulations similarly provide that a public entity, such as a school system, must provide programs and services "in the most integrated setting appropriate to the needs"[5] of individuals with disabilities. The requirements of Section 504 apply in determining whether school districts have met their obligation to students with disabilities under Title II of the ADA. Schools have the burden of demonstrating that any removal from regular education is appropriate.

☑ Maximum Feasible Integration

Using Standards as a Strategy for Reform

Schools violate Section 504 and ADA regulations whenever students with disabilities are denied the benefits of education reform standards. Standards-based education reform aims to attain high quality educational outcomes by identifying desired learning outcomes for students, shaping curricula and instruction accordingly, and holding schools accountable for the results. If a state or school system adopts standards for general education, then students with disabilities have the right to an education based on these same standards. Failure to apply standards to students with disabilities is a failure to provide "comparable benefits and services."

Linking Curriculum, Courses, and Instructional Strategies to the Standards Set for All Students

The goal of education reform is to make sure that students learn the curriculum which reflects education reform standards. Students with disabilities, like all other students, must be provided with courses and instruction that teach the curriculum. Otherwise, they will be denied comparable benefits and services in violation of Section 504 and the ADA.

For some students, the method of teaching some or all of the curriculum may need to be modified, perhaps an accommodation, or as a supplementary aid or service necessary for maximum feasible participation in regular education. For a small number of students

[4] 34 C.F.R. 104.34(a).

[5] 28 C.F.R. 35.130(d). See also 28 C.F.R. 35.130(b)(2) and 34 C.F.R. 104.34.

who have significant disabilities, it may be necessary to modify, adapt, or expand the curriculum or instruction to provide access to the standards. These decisions must be made on an individual basis, and based upon valid and competent individualized educational evaluations.

School systems must also identify and examine any policies or practices ("criteria or methods of administration") that may have the effect of limiting students' access to the courses and instruction necessary to learn the curriculum and meet the standards. Any number of policies and practices might have this effect. Examples include lack of coordination (in terms of both scheduling and content) between pull-out programs such as resource rooms and the mainstream academic curriculum; providing a diluted curriculum in separate programs and classes for students with disabilities; and failing to integrate special education supports and related services into regular education classes.

Using Assessment for School Accountability

The purpose of education reform assessments (often called "large-scale" assessments) is to gather information that shows whether schools are successfully teaching students the standards. This information is then used to identify weaknesses in schools and to make necessary improvements. Assessment is the way standards-based education holds schools accountable for student learning and achievement.

Historically, large numbers of students with disabilities have been excluded from assessments. As a result, information about the achievement of these students is often missing when evaluating the effectiveness of school programs and making decisions about policies, resource allocation, and reform initiatives. When they are excluded from assessment, schools are not held accountable for the quality of education students with disabilities receive. These students are denied the benefit of this critical aspect of standards-based education reform, in violation of the requirement to provide comparable benefits and services under Section 504 and the ADA.

These laws also require schools to provide any accommodations and modifications students need to participate in assessments. Many students will not require any changes in the way that the assessment is given. Others will need accommodations, such as extra time or provision of materials in a different format (e.g., Braille, large print, a reader), in order to participate. A relatively small percentage of students may require an alternate assessment to demonstrate their knowledge and skills in a nondiscriminatory manner. For example, some students may need a "hands-on" test using models rather than a pencil and paper test to show their understanding of geometry, and some students may require a portfolio assessment.

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Section 504, the Americans with Disabilities Act, and Education Reform" by the PEER Project.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

IDEA 1997

Improving the Education of Students with Disabilities in an Era of Education Reform

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

IDEA 1997

Improving the Education of Students with Disabilities in an Era of Education Reform

prepared by Janet R. Vohs and Julia K. Landau

"Since the passage of IDEA, 90 percent fewer developmentally disabled children are living in institutions, hundreds of thousands of children with disabilities attend public schools and regular classrooms; three times as many disabled young people are enrolled in colleges and universities; twice as many young Americans with disabilities in their 20s are in the American workplace. We have to continue to push these trends, to do everything we can to encourage our children with disabilities not only to dream of doing great things, but to live out their dreams."

—President Bill Clinton, July 4, 1997, at the signing ceremony for the Individuals with Disabilities Education Act Amendments of 1997 (Public Law 105-17)

This *PEER Information Brief* highlights the specific features of the *Individuals with Disabilities Education Act Amendments of 1997* (IDEA)[1] that relate to education reform. At the heart of current education reform efforts is the belief that high expectations, coupled with proven methods of teaching and learning, will result in the higher academic achievement of all students. Yet, for the most part, students with disabilities have not been a high priority for education reformers. The recently passed IDEA Amendments help correct this imbalance. The new amendments add clear and powerful new language that parents, educators, and advocates can use to make sure that students with disabilities benefit from school reform efforts. This *Information Brief* highlights the following specific aspects of IDEA, both new and long-standing, that have particular relevance for improving the education of students with disabilities in this era of education reform:

- Evaluations and Re-evaluations
- Individualized Education Program (IEP) Contents
- IEP Teams
- No Cessation of Services
- Periodic Progress Reports
- Regular Educational Environment
- Role of Regular Education Teachers
- Special Considerations
- IEP Reviews
- Assessment
- Performance Goals
- Accountability
- State Improvement Grants
- Charter Schools

[1] IDEA (*Individuals with Disabilities Education Act*) is the federal law guaranteeing a right to education to all children with disabilities. It was enacted in 1975, and its original title was the *Education for All Handicapped Children Act* (EHA). It is considered both a civil rights law and an education law.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999

BEST COPY AVAILABLE

Background

Education reform is about making schools better. Today's education reform efforts began, in part, as a response to evidence that American students were not performing academically as well as their peers in other industrialized countries. They reflect widespread concern that education is not doing enough to equip students to meet the challenges of life and work in the twenty-first century.

Similar concerns about education for students with disabilities motivated Congress to add some important amendments to IDEA in 1997. Yes, as President Clinton emphasized at the signing ceremony for IDEA, there have been tremendous advances in education for students with disabilities over the past twenty-two years. The wholesale institutionalization of the 1970s has ceased. Thousands of students with disabilities have benefited from an education that would have been totally denied without the protection of the law. At the same time, however, students with disabilities are frequently excluded from regular education's offerings and given a watered-down curriculum. Consequently, students with disabilities have been far less likely than their nondisabled peers to graduate from high school, to participate in post-secondary education, or to be employed after their school years.

Within special education, the quality of education for minority students and students with limited English proficiency is especially troubling. More minority children continue to be served in special education than would be expected from the percentage of minority students in the general school population. Poor African-American children are 2.3 times more likely to be identified by their teacher as having mental retardation than their white counterpart. And the drop-out rate is 68 percent higher for minorities than for whites.[2] African-American children who have been identified as needing special education are also more likely to be placed in segregated programs.

Studies have documented similar discrepancies in the number of students with limited English proficiency refered to and placed in special education classes. Furthermore, the U.S. Department of Education has found that services provided to students who have limited English proficiency often do not respond primarily to their academic needs. These trends pose special challenges since students from non-English speaking backgrounds comprise the fastest growing population of students in the nation.[3]

The introductory section to the 1997 IDEA ammendments notes that twenty-two years after the special education law was first passed, low expectations still plague the education of *all* children with disabilities:

[2] 20 U.S.C. §1401(c)(8)

[3] 20 U.S.C. § 1401(c)(7)(F)

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

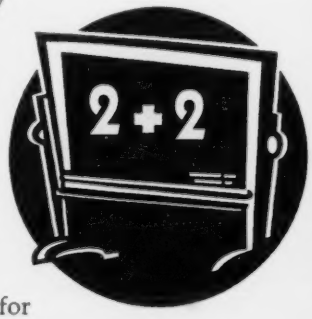
> ". . . The implementation of this Act has been impeded by low expectations . . . Over 20 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by having high expectations for such children and ensuring their access in the general curriculum to the maximum extent possible." [4]

The 1997 Amendments to IDEA provide important new tools that parents, students, educators, and advocates can use to ensure that all students with disabilities receive a high quality education. Among other provisions, the 1997 amendments emphasize that:

- students with disabilities must be given meaningful opportunities to acquire skills and knowledge in the same subject (or curriculum) areas that all other students are studying;
- students with disabilities must be taught in ways that effectively address their unique needs and that support their progress in the general curriculum, and
- students with disabilities must be included in state and district-wide assessments to ensure that they are progressing in the general curriculum.

Students with disabilities must be given the opportunity to reach the same standards set for all students. These IDEA provisions underscore that school districts are now responsible and accountable for the high achievement of all students with disabilities.

Not all of these requirements are new. For a long time, they have been part of federal law. IDEA, Section 504 of the Rehabilitation Act of 1973, and more recently, the Americans with Disabilities Act (ADA), have consistently required schools to provide special education programs that allow students with disabilities opportunities to attain the skills and high standards of learning that all other children are expected to attain. Despite these requirements, however, many schools and school districts have continued to provide a separate, watered-down curriculum to students with disabilities and have excluded students from state assessment and accountability systems. These continued violations of federal law reflect outmoded attitudes and low expectations that are just beginning to give way.



The 1997 IDEA Amendments specify and emphasize these existing rights and requirements. Congress also cited barriers to quality education for students with disabilities and emphasized the critical importance of:

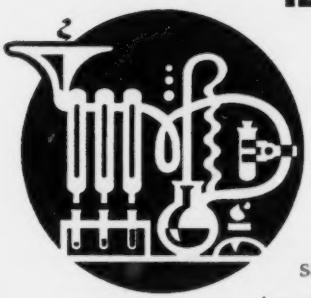
- high expectations,
- maximum possible access to the general curriculum, and
- effective teaching that allows children with disabilities to meet the challenging expectations that have been set for all students.[5]

IDEA clearly cites many procedures that parents, educators, and advocates can use to transform these rights into reality.

[4] 20 U.S.C. § 1401(c)(4) - (5)(A).

[5] 20 U.S.C. §1400(c)(5), as amended.

IDEA Provisions Related to Education Reform [6]



Evaluations/Re-evaluations

Evaluations and re-evaluations must now include information about special education strategies, services, and interventions necessary for a child with a disability to be involved and progress in the general curriculum. These provisions will help ensure that students with disabilities receive the supports necessary to fully meet high standards established through general education reform initiatives.

IDEA-97 maintains the requirement for re-evaluating students with disabilities every three years, but provides additional flexibility to school districts in meeting this requirement. IDEA now requires IEP teams to review existing evaluation data of the child and, with the parents, determine if further testing is necessary. The school must notify parents (as members of the team) if the IEP team decided further assessments are not necessary. However, the parents can still request additional testing. If the parents do request additional testing, the school must perform the re-evaluation requested by parents.

Individualized Education Program (IEP) Contents

IDEA now requires that every child's IEP contain the following additional components related to education reform:

- IEPs must describe how the child's disability affects involvement and progress in the general curriculum.
- IEPs must specify the measurable annual goals, including benchmarks and/or short-term objectives, that will enable the student to be involved and progress in the general curriculum.
- IEPs must now describe the special education, related services, and supplementary aids and services provided directly to *the child* or on behalf of the child in order for the child to be involved and progress in the general curriculum and participate in extra curricular and non-academic activities. In addition, IEPs must describe the program modifications or supports for *school personnel* that are necessary to ensure the child's involvement and progress in the general curriculum.
- IEPs must specifically explain the extent, if any, to which a child will *not* participate with nondisabled children in the regular class, including all academic, non-academic, and extracurricular activities.
- To encourage provision of services in the regular classroom, IEPs must describe the location where special education and the services and modifications described in the student's IEP will be provided to the student, including special education, related services, and supplementary aids and services.
- IEPs must include a list of any individual modifications a student needs to participate in general state or districtwide assessments *(see discussion below)*. If the IEP team determines that the student should participate by taking an

[6] Legal citations for IDEA provisions are listed in the Resources section of this document.

alternate assessment, the IEP must include a statement of why the regular assessment is not appropriate and specify how the child will be included in the state or districtwide program through the use of an alternate assessment.

IEP Team Members

IEP Teams must now include the following members:[7]

1. The parents,
2. A representative of the local educational agency (LEA)[8] who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; **is knowledgeable about the general curriculum**; and is knowledgeable about the availability of resources of the local educational agency,
3. A person qualified to interpret the **instructional** and other implications of evaluation results,
4. **At least one of the child's regular education teachers, if the child is or may be participating in the regular education environment,**[9]
5. At least one of the child's special education teachers,
6. At the discretion of the parents or school district, other individuals who have knowledge or special expertise regarding the child; and
7. The child, whenever appropriate.

In addition to being IEP team members, ***parents must be members of any group that makes placement decisions*** about their child.[10]

Previously, IDEA only required participation of "one of the child's teachers," which frequently resulted in the attendance of only the special education teacher who often was not well informed about the general curriculum. Required participation of the regular education teacher along with attendance of a local educational agency (LEA) representative knowledgeable about the general curriculum will facilitate inclusion of children withdisabilities in education reform initia ives.

Education for All Children/ No Cessation of Services

Schools must now provide all children with disabilities, ages 3–21, a free appropriate public education. IDEA-97 specifically require schools to educate children with disabilities who have been suspended or expelled from school. IDEA now clearly establishes that all children with disabilities have the right to receive the benefits of education reform. Schools must raise their expectations and improve the achievement of all students, including those students with disabilities who had previously been excluded from school.

Periodic Progress Reports

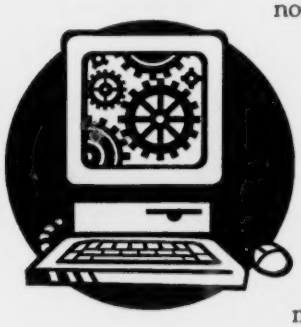
Schools must inform parents of children with disabilities about their children's progress. Parents must be regularly informed, at least as often as parents of

[7] New provisions or emphases are highlighted in bold.

[8] Local educational agency usually refers to the local school district.

[9] 20 U.S.C. §1414(d)(1)(B)(iv) and (v). A regular education teacher must be included even if a child is currently in a restrictive program, but "may be" participating in the regular education environment.

[10] 20 U.S.C. §1414(d)(1)(B), 1414(f) as amended.



nondisabled children are informed about their children's progress. Progress reports must describe the child's progress in meeting the goals of the general curriculum and the child's progress in meeting all other IEP goals and objectives. The required reports should give parents the information they need to monitor whether children are receiving the full benefits of education reform initiatives.

Regular Education Environment

IDEA-97 continues to include the strong preference to educate children with disabilities in regular classrooms with their age peers who are not disabled, with appropriate supplementary aids and services:

> To the maximum extent appropriate, children with disabilities, including children within public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling…or other removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability of a child is such that the education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.[11]

The 1997 Ammendments to IDEA presume that children with disabilities will be educated in regular classes. Now, IEPs must give a reason why a child will not participate with nondisabled children in the regular class for any amount of time. This requirement covers curricular, non-academic, and extra-curricular services and activities. The "Report" from Congress that accompanied IDEA-97 explains:

> Every child is unique and so will be his or her program needs. Nonetheless, when the decision is made to educate the child separately, an explanation of that decision will need, at a minimum, to be stated as part of the child's IEP.[12]

A child cannot be removed from the mainstream without a compelling educational justification.

To support the meaningful inclusion of children with disabilities in the regular education environment, IDEA now also requires schools to give educators the training and help they need. Therefore, IEPs must specify program modifications and supports for school personnel necessary for the child to be involved and progress in academic and non-academic regular education activities and to achieve general curriculum goals.

In yet a further measure to increase the participation of students with disabilities in regular education settings, the IDEA now prohibit states from developing funding formulas that result in placement of children of disabilities that violate the least restrictive environment requirements of IDEA. According to the Senate "Report," the problem of providing financial incentives for segregated settings "is most intense with minority children, especially African-American males." The Report continues:

[11] 20 U.SC. §1412(a)(5)

[12] Senate Report 105-17. (May 9, 1997.) Jeffords, J. Committee on Labor and Human Resources, p. 21.

> Over-identification of minority children particularly in urban schools with high proportions of minority students, remains a serious and growing problem in this Nation. The problem also contributes to the referral of minority special education students to more restrictive environments.[13]

States which distribute funds based on different types of settings must take steps to ensure compliance with this provision of IDEA-97.

Role of Regular Education Teachers

In three separate places, IDEA-97 requires the participation of regular education teachers in the IEP process:

1. The regular education teacher is now identified as a required member of the IEP team.
2. The regular education teacher, as a member of the IEP team, must participate to the extent appropriate in deciding appropriate positive behavioral interventions and strategies, supplementary aids and services, program modifications, and support for school personnel necessary for the child to attain IEP goals and progress in the general curriculum.
3. The regular education teacher must also participate in the review and revision of IEPs.

The repeated emphasis on the active participation of regular education teachers is directly linked to the requirement to include children with disabilities in education reform. Congress amended IDEA to require that regular education teachers participate in decisionmaking as a way to ensure the full participation of children with disabilities in the general curriculum.

[13] Senate Report 105-17, p. 9.

Special Considerations

IEPs must now specifically address the educational needs of children *with behavioral issues*, children with *limited English proficiency*, children who are *blind or visually impaired*, children who are *deaf or hard of hearing*, and children requiring *assistive technology*. IEP teams must now consider the following specific factors in developing the IEP:

- *For a child whose behavior impedes his or her learning and that of others:* The IEP team must consider, as appropriate, strategies, including positive behavioral interventions, strategies, and supports to address that behavior.
- *For a child with limited English proficiency:* The IEP team must consider the language needs of the child that relate to the child's IEP.
- *For a child who is blind or visually impaired:* The IEP team must provide for instruction in Braille and the use of Braille, unless the IEP team determines, after an appropriate evaluation, that instruction in Braille or the use of Braille is not appropriate.
- *For a child who is deaf or hard of hearing:* The IEP team must consider the child's language and communications needs, including opportunities for direct communication with peers and professional personnel and direct instruction in the child's language and communication mode.

- *For all children:* The IEP team must consider whether the child requires assistive technology devices and services.

IDEA specifically requires IEP teams to fully address these special factors when considering the learning needs of children with disabilities. These provisions help ensure that supports and services are provided to improve academic achievement and progress in the general curriculum for all children.

IEP Reviews

In conducting annual IEP reviews, IEP teams must address, among other things, the child's lack of expected progress in the general curriculum and lack of expected progress toward achieving annual goals. Requiring IEP teams to consider the general curriculum during the IEP review process is an important change in the law. It underscores the mandate that IEP teams continually emphasize a child's meaningful participation in the general curriculum throughout a child's educational career.

Statewide or Districtwide Assessments

Children with disabilities must be included in general state and districtwide assessments, with appropriate accommodations where necessary. Through the IEP process, decisions must be made about how a student with a disability will participate in the assessment. Some students will participate in the assessment "as is" (without accommodations), and some students will require accommodations in order to participate.

In most cases, students with all types of disabilities will be able to participate in the regular assessment, with necessary accommodations. IEP teams must now consider the full range of accommodations, including but not limited to, those utilized in the child's classroom instruction. IDEA requires the IEP team to choose accommodations based on the student's individual needs, and leaves the decision about which accommodations are appropriate for an individual child to the IEP team. To fulfill new IDEA requirements, most states and districts will need to expand the type and range of accommodations provided for testing. Issuing restrictive lists of approved accommodations would be inconsistent with IDEA-97 as it would remove the decision about accommodations from individuals who are most knowledgeable about the child.

For the relatively small number of students who cannot participate in the general assessment even with accommodations, states and school districts must provide for their participation through alternate assessments. If the IEP teams properly make individualized decisions about the participation of each child with a disability in general state and districtwide assessments, including the use of appropriate accommodations, modifications, and individual modifications in administration, it will be necessary to use alternate assessments for a relatively small percentage of children with disabilities.

An alternate assessment will provide a mechanism for those children with significant disabilities who require a different kind of test to demonstrate what they know and can do, and the degree to which they have mastered the general curriculum standards. There are at

least two groups of children with disabilities who may require alternate assessments: students with disabilities who have mastered the general curriculum but need a different kind of assessment to demonstrate their knowledge and ability and students with significant cognitive disabilities.

Performance Goals

States must set goals for the performance of students with disabilities. These goals must be consistent, to the maximum extent appropriate, with any goals and standards the state has set for students in general. This means that the state cannot set separate, weaker standards for students with disabilities. Rather, the state must ensure that the same high goals and standards it uses for all students be applicable to students with disabilities. The state may supplement the goals and standards it uses for all students with any additional ones required by the unique needs of children with disabilities.

Accountability

IDEA now requires states and school districts to gather and publicize information that parents can use to hold schools accountable for the achievement of children with disabilities in school. In addition to setting goals, states must set "performance indicators" that they will use to determine whether a school or school system is successfully educating children with disabilities. These "performance indicators" must at a minimum include data on assessment results and data on drop-out and graduation rates of students with disabilities. The state must now use these indicators to report to the public on the progress of children with disabilities every two years.

The state must also publicize statistics showing how children with disabilities perform on the general assessments, including participation and achievement statistics of all children. IDEA now requires states and districts to report the scores of students with disabilities in two ways. First, school, district, and statewide summaries must report the scores of all students with disabilities together with the scores of all other students ("aggregated" scores). This requirement is important because if the scores of students with disabilities are only reported separately, the achievement of students with disabilities is likely to be considered as less important when evaluating school performance and allocating resources.

School, district, and statewide summaries must also report the performance of children with disabilities separately from the scores of students without disabilities ("disaggregated" scores) to allow analysis of student performance and identification of specific trends and to hold schools and school districts accountable. The number of students with disabilities taking regular state or district assessments must be reported, as well as the number of students taking alternate assessments.[14]

State Improvement Grants

The IDEA Amendments of 1997 create a new set of state improvement grants.

[14] To ensure accountability for students who may be excluded from regular testing for any reason, parents and advocates should find out what the procedure is for including the alternate test results for these students in testing reports. For example, Kentucky assigns the scores of all students to their neighborhood schools, regardless of the school they actually attend.

BEST COPY AVAILABLE

States can apply for these grants to address aspects of early intervention, general education, and special education programs that need to be improved to enable children with disabilities to meet the state performance goals. The state's improvement plan must be revised based on assessment of progress toward the state performance goals. The plan must describe how the state will change its policies and procedures to:

- address systemic barriers to improving children's educational results,
- hold LEAs and schools accountable,
- provide technical assistance to LEAs and schools to improve students' performance, and
- ensure provision of professional development to address the needs of school personnel.

Charter Schools

In many states, charter schools have been created as a part of education reform efforts. Over thirty states and the District of Columbia now have charter schools legislation. IDEA regulations state that students with disabilities attending public charter schools have the same rights as children attending other public schools.

Conclusion

The provisions of IDEA outlined in this *Information Brief* represent a critical shift in our nation's approach to the education of students with disabilities. Since the 1970s, parents and advocates have had to devote tremendous effort and energy simply to gain access to education for their children with disabilities. For many students with disabilities, education has consisted of day-long sessions focused only on daily-living skills; for many others, a watered-down curriculum in segregated classrooms or schools was all that was offered. These many new provisions of IDEA emphasize that mere access is insufficient. States and districts are specifically required to apply the many benefits of education reform to the education of students with disabilities. With IDEA, parents and others concerned with the education of students with disabilities have even greater legal authority to insist that their children receive real educational benefits from their years in school.

The PEER Project gratefully acknowledges the contribution of staff attorneys of the Center for Law and Education in preparation of this *Information Brief*. The PEER Project drew heavily on their work and legal analysis.

Resources

Boundy, Kathleen B., J.D. (1998). Individuals with Disabilities Education Act Amendments of 1997 (IDEA) Stress Quality Education Reform for Students with Disabilities. Washington, D.C.: Center for Law and Education.

Committee on Goals 2000 and the Inclusion of Students with Disabilities. (1997). *Educating One and All: Students with Disabilities on Standards-Based Reform.* McDonnell, Lorraine M., McLaught, M., and Morison, P., (Eds.). Washington, D.C.: National Academy Press.

Lipton, Diane J., Esq., "Individuals with Disabilities Education Act Amendments of 1997: Overview and Summary of Changes with Emphasis on IEPs and Discipline." Vohs, J.R., (Ed.). *Coalition Quarterly.* 1998; 14 (2 & 3), 4-14. Boston: Federation for Children with Special Needs.

Citations for IDEA Provisions—20 U.S.C 1400 *et seq.*

Evaluation/Re-evaluations - §1414(a-c)

Individualized Education Programs - §1414(d)

IEP Teams - §1414(d)(B)

No Cessation of Services - §1412(a)(1)(A)

Periodic Progress Reports - §1414(d)(1)(A)(viii)(II)

General Education Environment - §1412(a)(5); §1412(a)(5)(B)(i-ii); §1414(d)(1)(A)(iv)

Role of Regular Education Teachers - §1414(d)(1)(B)(ii); 1414(d)(3)(C); 1414(d)(4)(B)

Special Considerations - §1414(d)(3)(B)

IEP Reviews - §1414(d)(4)

Assessment - §1414(d)(1)(A)(v)(I-II); §1412(a)(17)

Performance Goals - §1412(a)(16)

Accountability - §1412(a)(16)(B-C); §1412(a)(17)(B)

State Improvement Grants - §1451 *et seq.*

Charter Schools - §1413(a)(5)

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

118 BEST COPY AVAILABLE

PEER Fact Sheet

IDEA 1997 Fact Sheet

The *Individuals with Disabilities Education Act Ammendments of 1997* (IDEA-97) contain important provisions which parents, educators, and advocates can use to make sure that students with disabilities benefit from school reform efforts. IDEA now requires that students with disabilities participate in the general curriculum. In most school districts, the general curriculum directly reflects the standards established by the state or district's education reform initiatives. Therefore, the same high standards created through education reform must apply to students with disabilities. The IDEA provisions listed below underscore that school districts are now responsible and accountable for involvement and progress in the general curriculum and high achievement of all students with disabilities.

☑ Evaluations/ Re-evaluations

Special education evaluations and re-evaluations must include information about the special education, related services, and strategies necessary for a student with a disability to participate and progress in the *general curriculum*. Evaluations must address the special education services necessary for a student with disabilities to meet the high standards established by most states through education reform initiatives.

☑ Individualized Education Program (IEP) Contents

IDEA requires that each student's IEP contain the following components related to participation in the general curriculum and education reform:

- ✓ IEPs must describe how the student's disability affects involvement and progress in the general curriculum.
- ✓ IEPs must list goals, benchmarks, and/or objectives that will enable the student to be involved and progress in the general curriculum.
- ✓ IEPs must list the special education, related services, and supplementary aids and services the student needs to ensure the student's involvement and progress in the general curriculum and participation in extra-curricular and nonacademic services and activities.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs ©1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

- ✓ IEPs must list the program modifications and supports for school personnel (teachers, aides, etc.) that will be provided for the student to ensure the student's involvement and progress in the general curriculum and participation in extra-curricular and nonacademic services and activities.
- ✓ IEPs must specifically explain the extent, if any, to which a child will not participate with nondisabled children in the regular class, including all academic, non-academic, and extra-curricular activities.
- ✓ IEPs must describe the location where special education and the services and modifications described in the student's IEP will be provided to the student, including special education, related services, and supplementary aids and services, to encourage provision of services within the regular classroom.
- ✓ IEPs must describe any modifications or accommodations necessary for the child to participate in general state or districtwide assessments.

☑ IEP Team Members

IEP teams must now include the members listed below. The participation of the regular education teacher and school staff who know about the general curriculum will help to make sure that children with disabilities are included in education reform.

- ✓ The parents
- ✓ A representative of the local educational agency (LEA) who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; is knowledgeable about the general curriculum; and is knowledgeable about the availability of resources of the local educational agency[6]
- ✓ A person who is qualified to interpret how the child's evaluation results can be used to guide and improve instruction (can be a member of the team)
- ✓ At least one of the child's regular education teachers, if the child is or may be participating in the regular education environment
- ✓ At least one of the child's special education teachers
- ✓ At the discretion of the parents or school district, other people who have knowledge or special expertise regarding the child
- ✓ The child, whenever appropriate.

☑ Education for All Children—No Cessation of Services

Schools should raise their expectations and improve achievement of all students, including students with disabilities who had previously been excluded from school due to suspensions or expulsions. Under IDEA, children with disabilities who have been suspended or expelled from school must receive a free, appropriate public education during the period of disciplinary removal from school, as well as when they return to school.

☑ Progress Reports

Schools must provide parents of children with disabilities with progress reports which describe the child's progress in meeting general curriculum goals and IEP goals and objectives. Parents must receive these reports at least as often as parents of nondisabled children receive progress reports.

[6] Local educational agency (LEA) usually refers to the local school district.

☑ Regular Education Environment

IDEA-97 continues to include the strong preference for children with disabilities to be educated in regular classrooms with their age peers who are not disabled, with appropriate supplementary aids and services. Such inclusion will facilitate full participation in education reform efforts.

- ✓ The IDEA amendments presume that the first placement option considered for each disabled child is the regular classroom, with appropriate supplementary aids and services. IEPs must explain the extent to which a child will not participate in regular classes with their non-disabled peers for any amount of time.
- ✓ IDEA requires schools to give educators the training and help they need to allow children with disabilities to participate in regular education classrooms and to achieve general curriculum goals. IEPs must state the program modifications and supports required for school personnel to meet the child's needs.
- ✓ States are not allowed to develop funding formulas that result in placements of children with disabilities that violate the least restrictive environment requirements of IDEA.

☑ Role of Regular Education Teachers

Congress amended IDEA to require that regular education teachers participate in decision making to help ensure the appropriate involvement and progress of children with disabilities in the general curriculum. The law now requires that at least one regular education teacher of the child must be a member of the child's IEP team if the child is, or may be, participating in the regular education environment. The law was amended in three different sections to make sure that regular education teachers are active participants in the review and revision of an IEP. IDEA specifically requires their participation in decisions about services, supports, and positive behavioral support plans necessary for the child to make progress in the *general curriculum.*

☑ Special Considerations

IDEA lists a number of special factors that IEP teams must consider to ensure that all children improve their academic achievement and progress in the general curriculum:

- ✓ ***For a child whose behavior impedes his or her learning or that of others,*** the IEP team must consider, as appropriate, strategies, including positive behavioral interventions, strategies, and supports, to address that behavior.
- ✓ ***For a child with limited English proficiency,*** the IEP team must consider language needs that relate to the IEP.
- ✓ ***For a child who is blind or visually impaired,*** the IEP team must provide for instruction in Braille and the use of Braille (unless determined not to be appropriate after thorough evaluation).
- ✓ ***For a child who is deaf or hard of hearing,*** the IEP team must consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel, including direct instruction in the child's language and communication mode.
- ✓ ***For all children with disabilities,*** IEP teams must consider whether the child requires assistive technology devices and services.

☑ IEP Reviews

During annual IEP reviews, IEP teams must address a child's lack of expected progress in the general curriculum and lack of expected progress toward achieving annual goals. This requirement helps to ensure that IEP teams periodically address a child's participation in the general curriculum throughout the child's educational career.

☑ State or Districtwide Assessments

All children with disabilities must participate in general state and districtwide assessment programs. IEP teams must make individual determinations of the accommodations that a student needs in order to be included in assessments. Some students will participate in the assessment "as is" (without accommodations), some students will require accommodations, and a relatively small percentage of students may require an alternate assessment to participate. The assessment requirement ensures that the education of students with disabilities is guided by the state and local standards established through education reform for all students.

☑ Performance Goals

States must set goals for the performance of students with disabilities that are consistent, to the maximum extent appropriate, with any goals and standards the state has set for all students. Goals and standards established through education reform must be applicable to students with disabilities.

☑ Accountability

IDEA requires states and school districts to gather and publicize information that parents can use to hold schools accountable for the academic achievement of children with disabilities. States must set "performance indicators" to show whether a school or school district has successfully educated children with disabilities. The "performance indicators" must, at a minimum, address drop-out rates and graduation rates of students with disabilities, and the performance of students with disabilities on state and districtwide assessments.

☑ State Improvement Grants

The IDEA amendments create new state improvement grants for the purpose of addressing changes in state policies and procedures to help children with disabilities meet state performance goals and improve educational results.

☑ Charter Schools

In many states, charter schools have been created as a part of education reform efforts. IDEA regulations state that students with disabilities attending public charter schools have the same rights as children attending other public schools.

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "IDEA 1997: Improving the Education of Students with Disabilities in an Era of Education Reform" by Janet R. Vohs and Julia K. Landau, J.D.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Title I

Tools for Ensuring Quality Educational Opportunities

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Title I

Tools for Ensuring Quality Educational Opportunities

prepared by Carolyn Romano, J.D.

Introduction

Title I[1] of the *Elementary and Secondary Education Act of 1965* (ESEA) is the largest federally funded education program. The overall purpose of Title I is to give schools with high concentrations of children living in poverty the funds to provide special assistance for children who are not achieving well academically or who are at-risk of educational failure. In 1994, Congress completely overhauled Title I through the "Improving America's Schools Act" (IASA).[2] Congress rewrote the law to ensure that Title I programs are in line with the standards-based education reforms taking place in general education. Changes in 1994 made explicit the intent of the 1988 amendments to Title I that had been designed to ensure that educationally disadvantaged students were educated according to the same high standards states were establishing for all students. To accomplish this purpose, Title I requires states to:

1. ensure *high standards for all children* and align the efforts of states, local educational agencies, and schools to help children served under this title to reach such standards;
2. provide children an *enriched and accelerated educational program,* including, when appropriate, the use of the arts, through schoolwide programs or through additional services that increase the amount and quality of instructional time so that children served under this title receive at least the classroom instruction that other children receive;
3. promote schoolwide reform and ensure access of children (from the earliest grades) to *effective instructional strategies and challenging academic content* that includes intensive complex thinking and problem-solving experiences;
4. significantly upgrade the quality of instruction by providing staff in participating schools *with substantial opportunities for professional development;*

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999

5. *coordinate services* under all parts of this title with each other, with other educational services, and, to the extent feasible, with health and social service programs funded from other sources;
6. *afford parents meaningful opportunities to participate* in the education of their children at home and at school;
7. distribute *resources, in amounts sufficient to make a difference,* to areas and schools where needs are greatest;
8. *improve accountability,* as well as teaching and learning, by using state assessment systems designed to measure how well children served under this title are achieving challenging state student performance standards expected of all children; and
9. provide *greater decisionmaking authority and flexibility to schools and teachers* in exchange for greater responsibility for student performance. [Emphases added.][3]

Beyond merely setting standards and calling for high expectations, these aspects of Title I spell out what is required to provide meaningful "opportunities to learn." These nine requirements are the essence of Title I's potential for truly improving education.

Types of Title I Programs

There are two types of Title I programs at the school level: schoolwide programs and targeted-assistance programs. In **schoolwide programs,** Title I money is used to upgrade the entire school's educational program, rather than to target services to a group of identified children. By affecting the school's entire educational program, the overall education of ALL children who attend the school can be improved. To qualify as a Title I schoolwide program, at least 50 percent of the students must be considered low-income. In contrast, Title I money in **targeted-assistance programs** may only be used to provide services to eligible children identified as having the greatest need for special assistance.[4] Children with disabilities who are failing or at risk of failing to meet standards are eligible for Title I targeted assistance. Schools receiving targeted-assistance money either have less than 50 percent of their population in poverty or choose to fund extra services for those students who are most educationally disadvantaged.

Schoolwide programs must conduct a comprehensive needs assessment of the entire school, based on children's performance in meeting the state's standards. The school must then develop reform strategies aimed at the entire school program. These strategies must be designed to provide opportunities for all children to meet the state standards and must be based upon practices proven effective through research and experimentation.

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

Instructional strategies must:

- Focus on amount and quality of learning time, such as an extended school year, before or after school, and summer programs, etc.
- Be designed to meet the needs of *all* students, in particular, historically underserved populations.
- Be in place to identify students who are having difficulty mastering standards, and
- Provide effective and timely additional assistance to identified students.

In addition, schoolwide programs must provide instruction by highly qualified professional staff, develop mechanisms for meaningful parent involvement, and provide professional development.

In Title I schoolwide programs, all children, including those with disabilities and children with limited English proficiency, are eligible to receive Title I services described above.

Targeted-assistance programs must help participating students, i.e., those who are the lowest achieving, meet the state's standards. Similar to schoolwide programs, schools must use strategies that are proven to be effective and are provided by highly qualified personnel. In addition, schools must provide effective instructional strategies and extended learning time to ensure that children receive an accelerated curriculum. Targeted-assistance programs must use methods that minimize the removal of children from regular classrooms during regular hours, i.e., pull-out programs, and must explicitly coordinate with and support the regular education program. Suggested activities include: counseling, college and career awareness and preparation, school-to-work programs, and preschool transition programs.

In targeted-assistance schools, children with disabilities and children with limited English proficiency may already be entitled to services under other federal laws (such as the Individuals with Disabilities Education Act [IDEA] or Title VII of the Elementary and Secondary Education Act [ESEA]) and state laws because of their disability or LEP status. Therefore, a targeted assistance school may not use its Title I funds to pay for services that are mandated under other federal, state, or local law requirement for these children. However, a targeted-assistance school may use its Title I funds to coordinate and supplement the services that individual children are already receiving.

Assessments

The purpose of assessments is to measure the extent to which children are reaching the standards. For a state to receive Title I funds, it must develop assessments based on the state content and performance standards. These assessments are not to make high-stakes decisions about individual children, but to keep track of how well districts and schools are enabling Title I students to meet standards.

Schoolwide programs must identify individual students having difficulty mastering any of the identified standards and provide the identified students with timely and effective assistance. Schoolwide and targeted-assistance programs must demonstrate sufficient gains in the performance of *all* students being served, including students with disabilities and students who are low-income or have limited English proficiency.[5]

Assessments must be administered at three key points: at least once each during grades 3–5, 6–9, and 10–12. They must use multiple methods of examining performance, i.e., not solely standardized, multiple-choice tests, and must test higher learning skills and analytical abilities. All Title I students are to participate, including students with disabilities and students with limited English proficiency.[6] Consistent with the requirements of IDEA, schools must provide students with disabilities with accommodations needed to participate in the assessments. The IEP must address the need for accommodations.

The assessments must be constructed to facilitate multiple reports, including: Reports about individual students; global information such as race, ethnicity, and gender comparisons; comparisons of students with and without disabilities; and comparisons of economically disadvantaged and other students. These types of reports provide a look at who, in fact, is being well served under Title I, and where efforts need to be targeted to improve the program.

Accountability and Improvement

Title I requires states to develop a definition of "Adequate Yearly Progress." This definition is used to determine whether or not particular schools and districts are making satisfactory progress toward enabling students to meet student performance standards. The progress of students with disabilities must be considered when evaluating the effectiveness of a school or district. The state must then identify districts that are not making sufficient progress.

If the state determines that a district has not made adequate progress for two consecutive years, the district is put into "improvement status." The district must then develop and implement a revised Title I plan. The state may, however, take corrective action at any time. After four years of inadequate progress, the state must step in. State actions can include withholding state funds from a district. Local districts must take similar corrective action steps in schools which are not making adequate progress.

Parent Involvement

Title I has a strong emphasis on parent involvement. In fact, it is the only federal statute, apart from IDEA, that so strongly emphasizes parent involvement. Under IDEA, parent involvement is, for the most part, tied to planning about individual children. In addition to addressing the needs of individual children, Title I requires meaningful parent involvement in the *design and implementation of entire school programs,* making schools accountable to students and their parents. Parents of students with disabilities may use Title I's strong parent involvement requirements to ensure that schools are organized and run in ways that respect the rights of students with disabilities, that children are identified who are having difficulty becoming proficient in particular areas, and that there is an effective process for addressing the needs of an individual child having such difficulty.

Title I envisions parent participation in each of three levels of decisionmaking: state, district, and school.

Parent Involvement at the State Level

State plans must be developed in consultation with parents.

Parent Involvement at the District Level

District Parental Involvement Policy

School districts must work with parents to reach agreement on a parental involvement policy. This parental involvement policy must be incorporated into the district's plan and must describe how the district will:

- involve parents in the joint development of the plan;
- provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement;
- build the schools' and parents' capacity for strong parent involvement (See "Building Capacity for Parent Involvement" on page 6.);
- coordinate and integrate parental involvement strategies with other programs, such as Head Start; and
- conduct an annual evaluation of the effectiveness of parent involvement.

In addition, the law specifically requires local school districts to provide "full opportunities" for participation of parents who are disabled or who have limited English proficiency, including providing information and school profiles in a language and form that such parents understand. Districts receiving over $500,000 in Title I funds must spend at least 1% of this money to facilitate parent involvement, such as through training, materials, or child care at meetings.

Parent Involvement at the School Level

School Parental Involvement Policy

Each school which receives Title I money must have a written parental involvement policy, jointly developed and approved by parents, that describes how the school plans to carry out the requirements of the law. The school should ensure that parents of children with disabilities help to develop the policy. The policy must ensure that the school will:

1. invite parents to an annual meeting to inform them about the school's participation in Title I and to explain their right to be involved;
2. offer a flexible number of parent meetings throughout the year and may provide transportation, child care, or home visits;
3. involve parents in Title I planning, review, and improvement;
4. provide parents with timely information about, among other things, programs, school performance profiles, their child's individual assessment results, the curriculum, assessments used, and proficiency levels students are expected to meet; and
5. include a school-parent compact.

School-Parent Compact — A Component of the School Parental Involvement Policy

Each school receiving Title I funds must also develop with parents a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improving student achievement. Again, the school should ensure that parents of children with disabilities assist in developing the school-parent compact. The compact must show how the school and parents will work together to enable children to achieve the state's high standards. The compact must:

1. describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables children to meet the state's performance standards,
2. describe the ways in which each parent will be responsible for supporting their children's learning, and
3. address the importance of ongoing communication between teachers and parents including through parent-teacher conferences, progress reports, and access to staff.

Building Capacity for Parent Involvement — Districts and Schools

To build the capacity of parents to participate effectively, Title I requires schools and school districts to undertake the following:

1. Provide training and information to help parents understand the National Education Goals, the states' content and student performance standards, state and

local assessments, the Title I requirements, how to monitor their child's progress and work with educators to improve the performance of their children, and how parents can participate in decisions relating to the education of their children.

2. Provide materials and training for parents on coordinating literacy efforts that will help them work with their children to improve their children's achievement.
3. With assistance from parents, educate teachers, pupil services personnel, principals and other staff in the value of parents' contributions, and in how to reach, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between home and school.
4. Coordinate and integrate parent involvement programs and activities with Head Start, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool programs and other programs, to the extent feasible and appropriate.
5. Develop appropriate roles for community-based organizations and businesses in parent involvement activities, and encourage partnerships between elementary, middle, and secondary schools and local businesses.
6. Provide opportunities as appropriate and feasible for parents to learn about child development and child-rearing issues designed to help parents become full partners in the education of their children.
7. Ensure, to the extent possible, that information about school and parent programs, meetings, and other activities, is provided in the language used in such homes.
8. Provide such other reasonable support for parental involvement activities under this section as parents may request.

In addition to the above requirements, Title I lists the following activities that schools may provide with Title I funds. Schools may:

- involve parents in developing training for teachers, principals, and educators as a way to improve instruction and services to the children of such parents;
- provide parents with necessary literacy training if the school district has no other sources of funds for such training;
- pay reasonable and necessary expenses, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- train and support parents to enhance the involvement of other parents;
- arrange meetings at a variety of times, such as in the mornings and evenings, to maximize the opportunities for parents to participate in school-related activities;
- arrange for teachers or other educators to conduct in-home conferences with parents who are unable to attend such conferences at school; and
- adopt and implement model approaches to improving parental involvement, such as Even Start.

Conclusion

Title I requires high quality programs to be created and implemented to ensure that all students, in particular, students who are disadvantaged, can acquire the knowledge and skills necessary to succeed in the 21st century. Title I, with its commitment to high standards and schoolwide reform, provides important tools to ensure that students with disabilities who participate in Title I schools or programs receive the benefits of school reform.

For more information, see the following Title I Provisions:

Schoolwide Programs:
See ESEA, at section 1114; 20 U.S.C. 6314

Targeted Assistance Programs:
See ESEA, at section 1115; 20 U.S.C. 6315

Assessments:
See ESEA, at section 1111(b)(1)(D)(3); 20 U.S.C. 6311(b)(1)(D)(3)

State Plans, Accountability, and Improvement:
See ESEA, at sections 1111 and 1116; 20 U.S.C. 6311 and 6316

Parent Involvement:
See ESEA, at section 1118; 20 U.S.C. 6318

State Level Parental Involvement:
See ESEA, at section 1111(a)(1); 20 U.S.C. 6311(a)(1)

District Level Parental Involvement Policy:
See ESEA, at section 1118(a); 20 U.S.C. 6318(a)

School Level Parental Involvement Policy:
See ESEA, at section 1118(b) and (c); 20 U.S.C. 6318(b) and (c)

Parent-School Compact:
See ESEA, at section 1118(d); 20 U.S.C. 6318(d)

Endnotes

1. 20 U.S.C. 6301 *et seq.* Between 1981 and 1994 the program was called "Chapter 1."

2. The Improving America's Schools Act (IASA), Public Law 103-382, fundamentally restructured all parts of the Elementary and Secondary Education Act (ESEA), including Title I, to support comprehensive state and local reform of teaching and learning.

3. 20 U.S.C. 6301(d).

4. Title I describes children eligible for targeted-assistance programs as children [not older than age 21] "identified by the school as failing, or most at risk of failing, to meet the State's challenging student performance standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade two shall be selected solely on the basis of such criteria as teacher judgment, interviews with parents, and developmentally appropriate measures. (2) Children included.—(I) Children who are economically disadvantaged, children with disabilities, migrant children or limited English proficient children, are eligible for services under this part on the same basis as other children selected to receive services under this part . . . (B) A child who, at any time in the two years preceding the year for which the determination is made, participated in a Head Start or Even Start program, is eligible for services under this part. (C) (i) A child who, at any time in the two years preceding the year for which the determination is made, received services under the program for youth who are neglected, delinquent, or at risk of dropping out under part D . . . may be eligible for services under this part. . . . (D) a child who is homeless . . . 20 U.S.C. 6315(b)(1) - (2).

5. 20 U.S.C. 6314(b)(1)(H)(i); 6314(b)(1)(B); 6315(c).

The U.S. Department of Education provides this policy guidance on eligibility: "Eligible children are children who are failing, or most at risk of failing, to meet the State's challenging student performance standards. Children who are economically disadvantaged, children with disabilities, migrant children, and limited English proficient (LEP) children are eligible for Part A services on the same basis as other children that are selected for services. **Thus schools are no longer required to demonstrate that the needs**

of LEP students stem from educational deprivation and not solely from their limited English proficiency. Similarly, schools are no longer required to demonstrate that the needs of children with disabilities stem from educational deprivation and not solely from their disabilities." [Emphasis added.] See "Targeted Assistance Schools" in *Policy Guidance for Title I, Part A: Improving Basic Programs Operated by Local Education Agencies*, U.S. Department of Education, Office of Elementary and Secondary Education, Compensatory Education Programs, April 1996.

6. Language Assessments: Students with LEP must be assessed in their native language. The law requires states to identify the languages for which student assessments are needed and not available. States may request help from the U.S. Department of Education if linguistically accessible assessment measures are needed. 20 U.S.C. 6311(b)(5).

Resources

Policy Guidance for Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies, U.S. Department of Education, Office of Elementary and Secondary Education, Compensatory Education Programs, April 1996.

Rogers, Margot. (1995). *Planning for Title I Programs: Guidelines for Parents, Advocates, and Educators.* DC: Center for Law and Education.

"PEER Teleconference Highlights: Title I of the Elementary and Secondary Education Act" (Nov./Dec. 1997) in *PEER Review.* (Carolyn Romano, Ed.) Federation for Children with Special Needs. Vol. 2, Issue 6, p.3.

The PEER Project gratefully acknowledges the contribution of staff attorneys of the Center for Law and Education in preparation of this *Information Brief*. The PEER Project drew heavily on their work and legal analysis.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

BEST COPY AVAILABLE

PEER Fact Sheet

Title I Fact Sheet

Title I[1] of the Elementary and Secondary Education Act of 1965 (ESEA) is the largest federally funded education program. The purpose of Title I is to give schools with high concentrations of children living in poverty the funds to provide special assistance for children who are not achieving well academically or who are at-risk of educational failure. In 1994, Congress overhauled Title I through the "Improving America's Schools Act" (IASA).[2] Congress rewrote the law to align Title I programs with the standards-based education reforms taking place in general education. The revised law emphasizes educationally disadvantaged students must be educated according to the same high standards established for all students. To accomplish this purpose, Title I requires states to:

1. ensure high standards for all children;
2. provide an enriched and accelerated educational program;
3. promote schoolwide reform and ensure access of children (from the earliest grades) to effective instructional strategies and challenging academic content;
4. provide staff with substantial opportunities for professional development;
5. coordinate services with other educational services, and with health and social service programs;
6. afford parents meaningful opportunities to participate in their children's education;
7. distribute resources, in amounts sufficient to make a difference, to areas and schools where needs are greatest;
8. improve accountability by using state assessment systems designed to measure how well children served under this title are achieving the standards; and

[1] 20 U.S.C. 6301 *et seq.* Between 1981 and 1994 the program was called "Chapter 1."

[2] The Improving America's Schools Act (IASA), Public Law 103-382, fundamentally restructured all parts of the Elementary and Secondary Education Act (ESEA), including Title I, to support comprehensive state and local reform of teaching and learning.

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs ©1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

BEST COPY AVAILABLE

9. provide greater decisionmaking authority and flexibility to schools and teachers.[3]

Beyond merely setting standards and calling for high expectations, these aspects of Title I spell out what is required to provide meaningful "opportunities to learn." These nine requirements are the essence of Title I's potential for truly improving education.

☑ Types of Title I programs

There are two types of Title I programs at the school level: schoolwide programs and targeted-assistance programs. In **schoolwide programs,** Title I money is used to upgrade the entire school's educational program so that the education of ALL children who attend the school can be improved. To qualify as a Title I schoolwide program, at least 50 percent of the students must be considered low-income. In Title I schoolwide programs, all children, including those with disabilities and children with limited English proficiency (LEP), are eligible to receive Title I services.

In contrast, Title I money in **targeted-assistance programs** may only be used to provide services to eligible children identified as having the greatest need for special assistance. Children with disabilities who are failing or at risk of failing to meet educational standards are eligible for Title I assistance. Schools receiving targeted-assistance money either have less than 50 percent of their population in poverty or choose to fund extra services for those students who are most educationally disadvantaged.

A targeted-assistance school may not use its Title I funds to pay for services that are mandated under other laws—local, state, or federal (such as IDEA or Title VII). However, a targeted-assistance school may use its Title I funds to coordinate and supplement the services that individual children with disabilities or limited English proficiency are receiving.

☑ Assessments

The purpose of assessments is to measure the extent to which children are reaching state standards. States receiving Title I funds must develop assessments based on the state content and performance standards. These assessments are not to make high-stakes decisions about individual children, but to keep track of how well districts and schools are enabling Title I students to meet standards. All Title I students are to participate, including students with disabilities and students with limited English proficiency.[4] Consistent with the requirements of IDEA, schools must provide students with disabilities with accommodations needed to participate in the assessments. The IEP must address the need for accommodations. Reports detailing the results of these assessments provide a look at who is being

[3] See 20 U.S.C. 6301(d).

[4] Language Assessments: Students with limited English proficiency (LEP) must be assessed in their native language. The law requires states to identify the languages for which student assessments are needed and not available. States may request help from the U.S. Department of Education if linguistically accessible assessment measures are needed. 20 U.S.C. 6311(b)(5).

well served under Title I, and where efforts need to be targeted to improve the program.

Title I requires states to develop a definition of "Adequate Yearly Progress."

☑ Accountability and Improvement

This definition is used to determine whether or not particular schools and districts are making satisfactory progress toward enabling students to meet the standards. The progress of students with disabilities must be considered when evaluating the effectiveness of a school or district. The state must then identify districts that are not making sufficient progress and must require those districts to take corrective action steps.

☑ Parent Involvement

Title I has a strong emphasis on parent involvement. Under IDEA, parent involvement is, for the most part, tied to planning about individual children. Title I, in addition to addressing the needs of individual children, requires meaningful parent involvement in the design and implementation of entire school programs. Parents of students with disabilities may use Title I's strong parent involvement requirements to ensure that schools are organized and run so that the rights of students with disabilities are respected children having difficulty becoming proficient in particular areas as identified and that an effective process for addressing the needs of individual children having such difficulty is in place.

In addition to participating in their own childrens education, Title I envisions parent participation in each of three levels of decisionmaking: state, district, and school.

Parent Involvement at the State Level

State plans must be developed in consultation with parents.

Parent Involvement at the District Level

District Parental Involvement Policy

School districts must work with parents to reach agreement on a parent involvement policy which describes how the district will:

- ✓ involve parents in the joint development of the plan;
- ✓ provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent involvement;
- ✓ build the schools' and parents' capacity for strong parent involvement;
- ✓ coordinate and integrate parental involvement strategies with other programs such as Head Start; and
- ✓ conduct an annual evaluation of the effectiveness of parent involvement.

In addition, the law specifically requires local school districts to provide "full

opportunities" for participation of parents who are disabled or who have limited English proficiency. Schools must provide information and school profiles in a language and formats appropriate to these partents' communication needs.

Parent Involvement at the School Level

School Parental Involvement Policy

Each school that receives Title I money must have a written parental involvement policy, jointly developed and *approved by* parents, that describes how the school plans to carry out the requirements of the law. The school should ensure that parents of children with disabilities help to develop the policy which must ensure that the school will:

1. invite parents to an annual meeting to inform them about Title I and explain their right to be involved;
2. offer a flexible number of parent meetings throughout the year and may provide transportation, child care, or home visits;
3. involve parents in Title I planning, review and improvement;
4. provide parents with timely information about programs, school performance profiles, their child's individual assessment results, curriculum, assessments, and proficiency levels students are expected to meet; and
5. include a school-parent compact.

School-Parent Compact: A Component of the School-Parent Involvement Policy

Each school receiving Title I funds must also develop, with parents, a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improving student achievement and reaching the state's high standards. Again, the school should ensure that parents of children with disabilities assist in developing the school-parent compact.

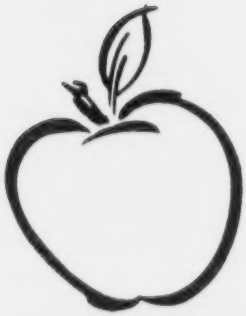
☑ Conclusion

Title I requires high quality programs to be created and implemented to ensure that all students, in particular, students who are disadvantaged, can acquire the knowledge and skills necessary to succeed in the 21st century. Title I, with its commitment to high standards and schoolwide reform, provides another important tool to ensure that students with disabilities who participate in Title I schools or programs receive the benefits of school reform.

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Title I: Tools for Ensuring Quality Educational Opportunities" by Carolyn A. Romano, J.D.

© 1999 The Federation for Children with Special Needs, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.



PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Transition

in an Era of Education Reform

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Transition in an Era of Education Reform

prepared by Carol Tashie and Cheryl Jorgensen
Institute on Disability, University of New Hampshire

High schools throughout the country are implementing standards-based education reform. As emphasized in the 1997 amendments to the Individuals with Disabilities Education Act (IDEA), students with disabilities must have access to the same high standards and expectations that are set forth for other students. The IEPs of students with disabilities attending high school must reflect the general education curriculum.

At the same time, IDEA requires IEP teams to develop a statement of needed transition services for students with disabilities. "Transition" is generally thought of as the system of planning that supports the movement of a student with disabilities through and out of high school — the bridge between school and adulthood. The intent of such planning is to ensure that students leave school knowing who they are, what they want to do with their lives, and which supports they will need to accomplish their goals.

Beginning at age 14 (or younger, if appropriate), IEPs must include a statement of the student's transition services needs, focusing on the student's course of study. Beginning at age 16 (or younger, if determined appropriate by the IEP team), IEPs must also include a statement of needed transition services for the student, including, if appropriate, a statement of the other agencies responsible for transition services or any needed linkages.

IDEA defines transition services as a "coordinated set of activities for a student" that:

> "(A) is designed within an outcome-oriented process, which promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
>
> "(B) is based upon the individual student's needs, taking into account the student's preferences and interests; and
>
> "(C) includes instruction, related services, community

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA ©1999

experiences, the development of employment and other post-school adult living objectives, and, when appropriate, acquisition of daily living skills and functional vocational evaluation."[1]

In light of this requirement, high schools are developing systems of "transition" for students with disabilities — systems that support students with disabilities during and after high school. Ironically, at the same time, many high schools are developing systems to assist students without disabilities to develop pre- and post-graduation plans. Consequently, one group of students plans with the support of special educators; the other group of students plans with the support of guidance counselors. Two separate systems operate within one school system.

This traditional view of "transition" which in effect creates a separate, post-school planning process for students with disabilities, works at cross purposes with the goals of school reform. At a time when schools are being called upon to include students with disabilities in standards-based education reform, transition planning has frequently been used to steer students away from the regular education curriculum, toward developing goals which are not focused on meeting high academic standards and graduation with a regular high school diploma. If transition of students with disabilities is viewed separately from "transition" (or graduation) for students without disabilities, it will become virtually impossible to appropriately include students with disabilities in standards-based education reform.

How transition has limited participation of students with disabilities in standards-based education reform

There are several ways that the traditional view of "transition" for students with disabilities has limited participation of students with disabilities in regular education curriculum and standards.

First, many high school students with disabilities are not included in the typical school experience — regular classes, extracurricular activities, and graduation planning. They are not supported to be fully participating and valued members in the typical experiences and classes that can assist them in developing their future goals.

Many students with disabilities progress through their school careers spending less time in the school building with their peers and more time in the community. This practice not only prevents students with disabilities from taking a full schedule of regular education classes, it isolates them from the very peer group they need to be successful now and as they enter the world of adulthood. It also serves to negate the valuable learning — academic, life skills, and social — that occurs for all students in these regular classes.

Secondly, the traditional "transition" process tends to perpetuate the notion that "special" paid people are the only ones who can

[1] 20 U.S.C. 1401(30).

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

support students in school, at home, in the community, or on the job. Many professionals see "transition" as something that happens to students with disabilities to help them move from special education into the world of adult services. Depending on the community, this can mean transitioning from "school to work" or "school to sheltered work" or "school to day-habilitation" or even "school to waiting list for services."

Third, only students with disabilities "transition," all other students "graduate." This system itself implies a separation between students with and without disabilities. With a strong emphasis on the merger of the separate systems of education (regular and special), it seems counterproductive to maintain, or develop, a separate system of "transition."

When viewing students with disabilities as fully included members of the whole community, it becomes clear that "transition" must fit into our notion about quality inclusive education for all. Questions such as, "How do students learn to make good decisions and good choices? How do they select the courses that they'll need to prepare them for life after graduation? What are the opportunities and connections they take advantage of outside of school that will help them be successful after they graduate and move into adulthood?" must guide the process for supporting students with disabilities throughout their school career and into adulthood. Efforts must not be targeted at developing a different, special system of high school education and "transition" for students with disabilities, but rather on making the achievement of high standards and the graduation planning process open and meaningful to all students.

How transition can be structured to support participation in standards-based education reform

Although the intent of transition is a positive one, it is clear that the practices often limit opportunities to achieve the high standards set for all students. In order to move beyond separate planning processes for students with and without disabilities, the following changes must occur:

- Appropriate inclusion of all students,
- Changes in the roles of professionals and paraprofessionals,
- Adoption of the typical educational timetable,
- Graduation as an outcome for all students,
- Flexibility in supports beyond graduation.

Appropriate Inclusion

There are numerous benefits of including students with disabilities in regular education. When students with disabilities are educated in general education classes,

they can gain skills and knowledge that will guide them in their present and future decisions. They are able to focus on literacy skills and academic learning. They have effective role models for learning and social interactions. They gain a vast array of information to guide future decisionmaking. High school students who choose which courses to take, which areas of study to pursue, and which extracurricular activities to engage in are better able to make informed decisions about their future life choices.

The inclusion of students with disabilities in a high school can be an impetus for change in the way the school addresses the issues of career and future planning. For students with disabilities, the notion of school-supported career planning is not new. IDEA mandates such a process. However, schools truly committed to appropriately including children with disabilities reject the notion of separate planning strategies for students with disabilities. They recognize that systems must be developed that support all students to plan for their futures. Therefore, these schools have begun to develop schoolwide career- and life-planning processes for all students. These efforts can also be supported by School-to-Work-Act programs.[2]

Job roles will need to change

Changing the perspective about high school education and the "transition/graduation" process requires a change in some of the ways that people have traditionally viewed their job roles and responsibilities. A shift from a model of direct professional or paraprofessional support to a model of encouraging and nurturing natural supports in the school and community is essential. (This model can also be supported by programs provided pursuant to the School-to-Work Opportunities Act.) School and community members must provide support to students with disabilities in much the same ways that support is provided to others — employers to new workers, churches and service organizations to new community residents, and so forth. In addition, the hours that school personnel work may need to change in order to support students beyond the school day.

The educational timetable must also change

Many states, at their discretion, choose to provide special education services to students with disabilities beyond age 18. For these states, the educational timetable must also change. The traditional way of educating students with disabilities was full-time in the school building through elementary school, job shadowing and community-based instruction through middle and high

[2] See the *PEER Information Brief* "School-to-Work Opportunities Act: A Source for Quality Transition Programs."

school, development of a job by the age of 20, and finally, "transition" compressed into the last few months of school.

To accompany and guide the new vision of graduation planning, a new timetable — a typical educational timetable — must be embraced. Typical students go through their high school experience — freshman, sophomore, junior, senior — and then they graduate into the world of adulthood. For many students with disabilities, the timetable has been quite different. A student with disabilities may repeat his/her senior year two or three times in order to "exit" school at age 22 years.

It is essential that students with disabilities (who, in some states, are eligible for educational services through or beyond the age of 22) progress through high school in the same way as typical students. Moving through the grades, taking required courses, choosing electives, participating in extra-curricular activities, and celebrating the end of their high school career upon completion of their (first and only) senior year is important for all students.

Graduation

In most states, a student's eligibility for special education services and supports ends upon receipt of a standard regular high school diploma. For this, and other reasons, many schools have presented students with disabilities with alternative diplomas or certificates of completion (or in the words of one parent, "a certificate of occupancy") in order to continue services in states that provide special education services through the age of 21 or 22 years, or beyond.

Today, schools and communities that embrace the typical timetable of education for students with disabilities are struggling to match regulations with effective education. These schools have acknowledged the need for a compromise until policy catches up with practice. They believe that support to young adults must continue after the formal graduation ceremony (after senior year) to young adults in jobs, colleges, technical schools, adult education classes, community activities, and so forth. In many of these schools, students with disabilities participate in all of the ceremonies and activities of senior year, including graduation, but do not receive their standard regular diploma until the age of 21 or 22 years. While this compromise is not ideal, schools and communities recognize the need to move forward with practice as one way of changing policy and regulations.

It is crucial to address how students over the age of 18 are supported. If students are to be appropriately included in the typical high school curriculum through the completion of their senior year, schools could then provide "post-senior year" support to these young adults in the community — not in high school. The old practice of

keeping students with disabilities in the high school building long after their same age peers have gone does not support the values of appropriate inclusion. Therefore, there must be a re-conceptualization of the supports and experiences for young adults between the ages of 18 and 21 or 22 to ensure appropriate inclusion and participation in community, work, recreation, and post-secondary education.

And after graduation? Typical students make a variety of choices. They go to college part time or full time, they work part time or full time, they live at home or find an apartment with a roommate. Students with disabilities need to have the same choices. School districts must work in close collaboration with the young adult and his/her family, and with employers, college officials, and community organizations to determine what supports will be needed to assist the individual in achieving his/her goals and dreams.

Preparation of this paper was originally supported by the following U.S. Department of Education, Office of Special Education and Rehabilitative Service grants: Statewide Systems Change H086J50014 and Post Secondary Education: A Choice for Everyone H078C60074.

© 1999 The Federation for Children with Special Needs, Inc. and Tashie and Jorgensen. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

Note: The term "full inclusion" was used by the authors in original papers on this topic. Through the review process, the U.S. Office of Special Education Programs (OSEP) changed the term to read "appropriate inclusion."

BEST COPY AVAILABLE

PEER Fact Sheet

Transition Fact Sheet

High schools throughout the country are implementing standards-based education reform. As emphasized in the 1997 Amendments to the Individuals with Disabilities Education Act (IDEA-97), the IEPs of students with disabilities attending high school *must reflect the general education curriculum and standards.*

At the same time, IDEA requires IEP teams to develop a statement of needed transition services for students with disabilities. IDEA defines transition services as a coordinated set of activities that:

- promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), adult education, independent living, or community participation;
- reflects the individual student's needs, taking into account the student's preferences and interests; and
- includes instruction, related services, community experiences, employment and other post-school adult living objectives, and, when appropriate, acquiring daily living skills and a functional vocational evaluation.

Beginning at age 14 (or younger, if appropriate), IEPs must include a statement of the student's transition services needs, focusing on the student's course of study. Beginning at age 16 (or younger, if determined appropriate by the IEP team), IEPs must also include a statement of needed transition services for the student, including, when appropriate, a statement of the other agencies responsible for transition services or any needed linkages.

In light of these requirements, high schools are developing systems of "transition" for students with disabilities which in effect create a separate post-school planning process for students with disabilities. Students with disabilities are working with special educators to develop *transition*

PEER

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs ©1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

plans (ITPs), while students without disabilities are working with guidance counselors to develop *graduation* plans. Thus, two separate "transition" processes operate within one school system.

If "transition" of students with disabilities is viewed separately from "transition" (or graduation) for students without disabilities, it will become virtually impossible to appropriately include students with disabilities in standards-based education reform. At a time when schools are being called upon to include students with disabilities in standards-based education reform, transition planning has frequently been used to steer students away from the regular education curriculum, toward developing goals which are not focused on meeting high academic standards and graduation with a regular high school diploma.

☑ How transition can limit participation of students with disabilities in standards-based education reform

There are several ways that the traditional view of "transition" for students with disabilities can limit participation of students with disabilities in the regular education curriculum and standards.

- ✓ ***Many high school students with disabilities are not included in the typical school experience*** such as regular classes, extracurricular activities, and graduation planning, which can assist them in developing goals for the future. Many students with disabilities progress through their school careers spending less time in the school building with their peers and more time in the community. This practice not only prevents students with disabilities from taking a full schedule of regular education classes, it isolates them from the very peer group they need to be successful now, and as they enter into the world of adulthood.

- ✓ ***The traditional "transition" process tends to perpetuate the notion that "special" paid people are the only ones who can support students*** in school, at home, in the community, or on the job. Many professionals see "transition" as something that happens to students with disabilities to help them move from special education into the world of adult services. Depending on the community, this can mean transitioning from "school to work" or "school to sheltered work" or "school to day-habilitation" or even "school to waiting list for services."

- ✓ ***The system itself implies a separation between students with and without disabilities,*** by emphasizing that only students with disabilities "transition," while all other students "graduate." With a strong emphasis on the merger of the separate systems of education (regular and special), it seems counterproductive to maintain, or develop, a separate system of "transition."

How transition can be structured to support participation in standards-based education reform

Although the intent of transition is a positive one, it is clear that transition practices often limit opportunities to achieve the high standards set for all students. In order to move beyond separate planning processes for students with and without disabilities, the changes listed on the next page must occur.

Appropriate Inclusion

There are numerous benefits of including students with disabilities in regular education classes, such as:

- ✓ acquisition of skills and knowledge that will assist students in present and future decisions,
- ✓ focus on literacy skills and academic learning,
- ✓ effective role models for learning and social interactions, and
- ✓ experience making decisions about courses and extracurricular activities that informs and guides future decisions.

The inclusion of students with disabilities in a high school can be an impetus for change in the way the school addresses the issues of career and future planning. Some schools have begun to develop schoolwide career- and life-planning processes for all students. These efforts can be supported by the School-to-Work Opportunities Act programs.[1]

[1] For more information, see the *PEER Information Brief:* "School-to-Work Opportunities Act, A Source for Quality Transition Programs," prepared for the PEER Project by the Center for Law and Education.

Job Roles Will Need to Change

Changing the perspective about high school education and the "transition/graduation" process requires a change in some of the ways that people have traditionally viewed their job roles and responsibilities. A shift from a model of direct professional or paraprofessional support to a model of natural supports in the school and community is essential. (This model can also be supported by programs provided pursuant to the School-to-Work Opportunities Act.) School and community members must provide support to students with disabilities in much the same ways that support is provided to others. In addition, the hours that school personnel work may need to change in order to support students beyond the school day.

The Educational Timetable Must Change

Many states, at their discretion, choose to provide special education services to students with disabilities beyond age 18. For these states, the educational timetable must change. To support the new vision of graduation planning, a new timetable – a typical educational timetable – must be embraced. Typically students complete their high school experience in four years, and graduate at age 18. Many students with disabilities "exit" school at age 21 or 22 years after repeating "senior year" two or three times.

It is essential that students with disabilities

(who, in some states, are eligible for educational services through or beyond the age of 22) progress through high school in the same way as nondisabled students. Moving through the grades, taking required courses, choosing electives, participating in extra-curricular activities, and celebrating the end of their high school career upon completion of their (first and only) senior year is important for all students.

Graduation

In most states, a student's eligibility for special education services and supports ends upon receipt of a standard regular high school diploma. For this, and other reasons, many schools have presented students with disabilities with alternative diplomas or certificates of completion so that they could continue to recieve services in states that provide special education services through the age of 21, 22, or beyond. Today, schools and communities that embrace the typical timetable of education for students with disabilities are struggling to match regulations with effective education. They believe that support for young adults must continue after the formal graduation ceremony (after senior year).

It is crucial to address how students over the age of 18 are supported. If students are to be included in the typical high school curriculum through the completion of their senior year, schools could then provide "post-senior year" support to these young adults in the community rather than the high school. There must be a re-conceptualization of the supports and experiences for young adults between the ages of 18 and 21 to ensure appropriate inclusion and participation in community, work, recreation, and post-secondary education.

After graduation, students with disabilities need to have the same choices as nondisabled students, including college, work, living independently, or living at home. School districts must work in close collaboration with the young adult, the family, and with employers, college officials, and community organizations to determine what supports will be needed to assist the student in achieving his or her goals.

Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Transition in an Era of Education Reform" by Carol Tashie and Cheryl Jorgensen.

© 1999 The Federation for Children with Special Needs, Inc. and Tashie and Jorgensen. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

Note: The term "full inclusion" was used by the authors in original papers on this topic. Through the review process, the U.S. Office of Special Education Programs (OSEP) changed the term to read "appropriate inclusion."

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Positive Behavior Supports and Functional Assessment of Behavior

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Positive Behavior Supports and Functional Assessment of Behavior

reprinted from Families and Disability Newsletter
Beach Center on Families and Disability, University of Kansas
with an introduction by Janet Vohs, PEER

Introduction

When the *Individuals with Disabilities Education Act* (IDEA) was amended in 1997, two key provisions related to positive behavioral support were enacted. First is a requirement that the Individualized Education Program (IEP) team address behavior of students when it impedes their or other students' learning. IEP teams are to consider strategies, including ***positive behavioral interventions,*** to address the behavior.[1]

The second provision requires schools to conduct a ***functional behavioral assessment*** and implement a ***behavioral intervention plan*** if it has not already done so for students who have been disciplined. If the student already has such a plan, it must be reviewed, and, if appropriate, revised.[2]

This *PEER Information Brief* is one of two that discuss positive behavioral approaches.[3] This *Brief,* with information reprinted with permission from the *Families and Disability Newsletter* (Winter 1997),[4] focuses primarily on the implications of the new IDEA

[1] As one of the special factors the IEP team must consider: "...for a student whose behavior impedes his or her or others' learning, appropriate strategies, including *positive behavioral interventions, strategies, and supports,* to address that behavior[.]" (Emphasis added.) IEP development, 20 U.S.C. 1414 (d)(3)(B)(I).

[2] Students have a right to a *functional assessment* and *positive behavioral support intervention* if they are disciplined for weapons, drug violations, or for other reasons, and the intervention must address the behavior for which they are punished (20 U.S.C. 1415 (k)(1)(B)). As a practical effect of this provision, students may be able to acquire interventions that will prevent them from being disciplined and placed in a highly restrictive setting.

[3] The *PEER Information Brief* "Effective Discipline Policies and Practices: A Schoolwide Approach," by Diana MTK Autin, discusses the concepts of positive behavioral support as they apply to shaping systems and settings that foster responsible, desirable behaviors conducive to learning as opposed to systems that rely on exclusionary, punitive approaches.

[4] The *Families and Disability Newsletter* is published by the Beach Center on Families and Disability at the University of Kansas in Lawrence. The PEER Project gratefully acknowledges the Beach Center for granting permission to reprint here the articles on "Positive Behavioral Support" and "Functional Assessment of Behavior" as well as items for the "Resources" section.

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999

BEST COPY AVAILABLE

requirements as they apply to individual students, especially students with more complex, significant disabilities whose behaviors present extreme challenges. Nevertheless, the general principles and strategies are widely applicable.

Many parents and advocates view the emphases on positive, supportive approaches as a revolutionary shift in the public policy approach to students with challenging behavior. Essentially the shift is one from control and suppression of behavior to support for learning new skills and adopting positive behaviors. The shift is based on the belief that all behavior is purposeful, and often has a communicative intent. From this perspective, it is possible to begin to understand the intent of undesirable behaviors, and to identify effective supportive strategies for changing behavior.

This Brief is organized into the following sections:

Positive Behavioral Support
First Steps, Strategies, and Monitoring Improvement.

Functional Assessment of Behavior
Strategies for how to examine and understand the purpose of the behavior.

Resources

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
95 Berkeley Street
Suite 104
Boston, MA 02116
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 482-2915
Fax:
(617) 695-2939

Part 1: Positive Behavioral Support

Have you ever heard the phrase, "Treat the symptom, ignore the disease"? Many people handle discipline that way. They try to eliminate disruptive or dangerous behavior without looking into why the behavior occurred.

Positive behavioral support is different—even revolutionary—because it is based on asking "Why?" Why does Pat never seem to sit in his seat at school? Why does Richard bang his head repeatedly? Why does Anastasia wander off?

Behavior usually happens for a reason. For example, an individual may use it seeking attention or self-stimulation. Behavior can be a form of communication—particularly for people with limited language capabilities—that may express frustration, anxiety, physical pain, other emotions, or needs.

When students throw objects in the classroom, they may be expressing a need for attention. Yelling may be their way to get out of an assigned task. Or they could be exhibiting challenging behavior because they feel excluded or overly controlled.

If you think about it, challenging behavior does work—to a certain degree. People do get more attention, higher levels of physical contact, or escape from work. But disruptive behavior (such as aggression) interferes with inclusion: It can endanger the person exhibiting it and others, upset staff, and contribute to a negative attitude toward people with disabilities.

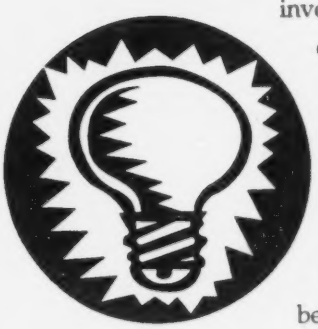
Then get rid of the challenging behavior, right? Not so simple. One goal in positive behavioral support is not merely to "eliminate" but to understand the behavior's purpose. The individual can then learn to substitute a more positive behavior that achieves the same function. People learn better ways to make their feelings and needs known.

First Steps

Just as in beginning any project, first obtain the necessary materials. In positive behavioral support, this involves making sure this approach is right for your family, gathering the people you need, having an idea of what you want, and finding out what purpose the challenging behavior serves.

Ensuring fit with your values. If you use this approach, you will have to be ready to forge ahead (rather than waiting for others to take the lead). You will also have to be prepared to custom-fit the plan to the person you are focusing on. This is not a "one size fits all" type of plan. And, instead of accepting whatever happens, you must be ready to actively solve problems, even anticipate them. This approach, too, focuses on rewarding good behavior, not punishing challenging behavior. Keep these values in mind when deciding whether this approach will work with your family.

Putting together a collaborative team. You probably could do this approach by yourself. But the odds for success would not be in your favor. A better way is to



involve family, professionals, friends, and community members. Those sensitive to the culture, skills, routines, and values of the individual and family are ideal. Also, find those who can best work with the child. Rapport—the ability to "connect"—can often be the miracle ingredient in behavioral changes.

Creating a vision. This approach is not an overnight, silver bullet cure. It takes time and effort. A vision of the ideal life for the individual with challenging behavior will fuel and help guide the journey. Typically, this vision begins with shared great expectations and incorporates to the maximum extent possible that individual's preferences for inclusive activities, relationships, and daily/weekly routines.

Completing a functional assessment. Challenging behaviors do not happen repeatedly without reason. Finding out "why" the behavior occurs is the key to positive behavioral support. Technically, the finding-out process is known as *functional assessment* and is a method of collecting and testing information. After you identify and clearly define the challenging behavior so that any one observing would know exactly what you are talking about, check to make sure you are on target about the probable purpose(s) of the behavior (for instance, to quit doing a difficult task). This can be done by someone who has knowledge of the person or by technical experts.

Strategies

Now, the next phase in this model of positive behavioral support begins: Strategies to encourage behavioral changes. These include (in no particular order):

Teaching new skills. Challenging behavior often occurs because the individual does not know a more appropriate way to achieve a result. Determine necessary skills, then work together to encourage their development. Just as importantly, decide whether people working with the person who has the behavioral challenge need to learn new skills. If so, they, too, need to start acquiring new skills.

The new skill may successfully replace the behavior right from the start or it may take longer. When a flare-up does occur, ignore the behavior problem (in cases of physical injury, it may be impossible and unethical to ignore behavior) and introduce known methods that promote good behavior.

Appreciating positive behavior. Gathering information for the functional assessment caused you to focus on the individual. During that time you should have learned what the person views as rewards. Using those rewards when the person exhibits targeted positive behavior reinforces the likelihood that those behaviors will happen again. At the same time you concentrate on rewarding targeted behavior, remember to recognize other appropriate behavior and work toward encouraging the individual to have a positive identity.

Altering environments. If something in the person's environment influences the

challenging behavior, it is logical to organize the environment for success. When adjusting the environment, focus, too, on what happens between challenging behavior incidents as well as on what happens when challenging behaviors occur. Arranging what happens during the day, when it happens, and how it happens decreases the chance of challenging behavior. The goal of the positive behavioral support model presented here is not to avoid all places where challenging behavior might occur or simply to give in to all the individual's requests. Rather, the goal is to create a rich pattern of preferred activities and relationships that encourage desirable rather than undesirable behavior.

Changing systems. After working on the immediate environment, examine your system of services to see whether it is as responsive and personalized as possible. If not, do what you can to make it that way. Teachers can, for instance, request time for collaborative planning on behalf of the student with challenging behavior. A parent can explain positive support practices to school representatives. You may find that despite your efforts, the system is not changing directions or quickly enough for your family. In that situation, you may consider literally changing your system for another (e.g., changing schools).

Monitoring Improvement

As the support program develops, devise a recording system to find out what works and what doesn't. There will be fine tuning and changes along the way. If the initial plan is not working, take care to understand why it is not working. You can then use that information to design a new approach for the plan.

For example, a person can get bored doing the *same* tasks with the *same* people for the *same* rewards at the *same* time of day. Creating variation may solve this problem. The second roadblock is that the people overseeing the positive behavioral support may get bored and less responsive to the person and his or her communication efforts. Taking a break and adding variety helps get past this roadblock.

In some situations, you may find that in spite of your best efforts, the behavior was not affected. Ask yourself whether you gave the plan enough time, or if you or others criticized the person exhibiting the behavior or pled with the person to behave well. Both tactics can actually increase the challenging behavior. Positive behavioral support also may not be effective in self-injury that gives the child sensory stimulation (e.g., children may poke their own eyes to make a visual effect), or is in response to not enough or too much stimulation. Self-injury or aggressive behaviors also can be initiated or set off by underlying psychiatric conditions, such as depression, obsessive-compulsive disorders, or other disorders. Some scientists have even suggested that some self-injury may represent a type of addictive behavior that gives a "high."

Crisis Anticipation

Also necessary from the start and throughout is a plan that anticipates dangerous situations. When someone has a behavioral challenge that results in property

destruction, self-harm, or physical injuries, you can't be caught unaware. Devise a detailed, word-by-word script for how to respond to dangerous situations and distribute it to everyone in contact with the individual. Not only will this foresight increase the plan's effectiveness, it will provide support persons with a security blanket.

End Results

Positive behavioral support draws from teaching, systems design, behavior management, and social support to frame environments where people succeed and feel good about themselves. The results of this evolving approach support the independence, productivity, and inclusion of people with disabilities.

However, as one mom said, "Employing positive behavioral support is not like tightening a few nuts and bolts. It is about relationships as much as techniques. It always matters who does the intervention as much as what they do."

Strategies to encourage behavioral change:

Teach new skills. Sometimes challenging behaviors occur because students do not know more appropriate ways to express themselves or to get the results they want. By acquiring new skills, the individual can successfully replace the behavior. Staff may also need to learn new approaches and skills.

Appreciate positive behavior. Once you know what is rewarding to the person with challenging behaviors, use those rewards to recognize appropriate behaviors. Broaden the focus beyond the targeted behavior to reward other appropriate behavior. Help the individual shape a positive identity.

Alter environments. Organize environments for successful change by creating a rich pattern of preferred activities and relationships that encourage desirable behaviors.

Change systems. Parents and teachers have important roles to play in shaping systems to be responsive and personalized.

Monitor improvement. Devise a recording system to find out what works and what doesn't. If the plan is not working, find out why. Be sure to give the plan enough time to work. Be willing to design a new approach if necessary.

Anticipate crises. Devise a specific plan to respond to difficult situations and distribute the plan to everyone in contact with the individual. This foresight increases the plan's effectiveness and provides support persons with a security blanket.

Part 2: Functional Assessment of Behavior

The functional assessment is a foundation of behavioral support. It is not a medical diagnosis that comes with a prepackaged plan. Instead, the functional assessment's results let caregivers design an environment that "works" for people with communication and behavioral challenges. In this model, the person with the challenges and those who best know the person collaborate with a person trained in behavioral analysis. Together, they plan how to meet the challenges of problem behavior.

Functional assessment methods look at the behavioral support needs of people who exhibit the full range of challenging behaviors, such as self-injury, hitting and biting, violent and aggressive attacks, property destruction, and disruptive behaviors (e.g., screaming or tantrums).

Those who exhibit challenging behaviors may be labeled as having a developmental disability, autism, mental retardation, mental illness, emotional or behavioral disorder, traumatic brain injury or may carry no formal diagnostic labels at all. These individuals vary greatly in their overall support needs and ability to communicate and participate in their own behavioral support.

Information about when, where, and why challenging behavior occurs builds effective, efficient behavioral support, because unplanned strategies can make behaviors worse. Also functional assessments are mandated by the Individuals with Disabilities Education Act for use by Individualized Education Plan (IEP) teams addressing behavioral concerns. Many states, too, have laws or regulations stipulating the need for a functional assessment before permitting significant behavioral interventions. The observations may find out that behavior strategies aren't necessary. Instead, the behaviors may have a medical cause. Allergies, infections, menstrual cycle effects, toothaches, chronic constipation and other medical conditions may bring on challenging behaviors. Medication also can influence behavior.

Generally, a functional assessment:

- Clearly describes the challenging behaviors, including behaviors that occur together;
- Identifies the events, times, and situations that predict when the challenging behaviors will and will not occur across the range of daily routines;
- Identifies the consequences that maintain the challenging behaviors (what the person "gets out" of the behaviors, e.g., attention, escape, preferred items);
- Develops one or more summary statements or hypotheses that describe specific behaviors, specific types of situations in which they occur, and the reinforcers that maintain the behaviors in that situation; and
- Collects directly observed data that support these summary statements.

A functional assessment can be done in many ways and at different precision levels depending on the behavior. A person who has observed undesirable behavior in

different situations and concluded that "she does that because..." or "he does that in order to. . ." has also developed a summary statement about the variable-influencing behavior.

A complete assessment allows confident prediction of the conditions in which the challenging behavior is likely to occur or not occur and when there is agreement about the consequences that perpetuate the challenging behavior.

Behavioral support must be conducted with the dignity of the person as a primary concern.

Functional assessment methods usually fall into three general strategies:

1. Information gathering (interviews and rating scales).

This method involves talking to the individual and to those who know the individual best. It also consists of formal interviews, questionnaires, and rating scales to identify which events in an environment are linked to the specific problem behavior.

Questions to answer include:

- What challenging behaviors cause concern?
- What events or physical conditions occur before the behavior that increase the behavior's predictability?
- What result appears to motivate or maintain the challenging behavior?
- What appropriate behaviors could produce the same result?
- What can be learned from previous behavioral support efforts about strategies that are ineffective, partially effective, or effective for only a short time?

2. Direct observation.

Teachers, direct support staff, and/or family members who already work or live with the person observe the person having challenging behaviors in natural conditions over an extended period. The observations must not interfere with normal daily environments. In most cases, observers record when a problem behavior occurs, what happened just before the behavior, what happened after, and their perception as to the function of the behavior. When an observer collects 10-15 instances of the behavior, he or she might discover where a pattern exists.

3. Functional analysis manipulations.

Taking the assessment one step further is the functional analysis. In this process, a behavior analyst systematically changes potential controlling factors (consequences, structural variables, i.e., task difficulty or length) to observe effects on a person's behavior.

These determinations involve creating situations that will reduce, eliminate, or provoke the challenging behavior to test whether the hypothesis is correct. Functional analysis—expensive in time and energy—may be the only way, in some cases, to ensure an adequate assessment. It is the only approach that clearly demonstrates relations between environmental events and challenging behaviors. To support the functional assessment, also consider measuring activity patterns (the variety and degree of community integration and relationships).

This portion of the *Information Brief* was reprinted from an article prepared by *The Family Connection* which was adapted with permission from O'Neil, R. E., Horner, R. H., Albin, R. W., Sprague, J. R., Storey, K., & Newton, N. S. (1997). *Functional assessment and program development for problem behavior. A practical handbook.* Pacific Grove, CA: Brooks/Cole.

The Family Connection, under the directorship of Rob Horner (University of Oregon), the Research and Training Center (RRTC) on Positive Behavioral Support, conducts research on the causes of challenging behaviors and strategies for support. It is a program funded by the National Institute on Disability and Rehabilitation Research of the U.S. Department of Education. The Beach Center on Families and Disability at the University of Kansas (3111 Haworth, University of Kansas, Lawrence, KS 66045, 785-864-7600) takes the researchers' work and gets it to families in as many ways as possible.

The PEER Project thanks the Beach Center on Families and Disability for permission to reproduce and distribute these guidelines.

© 1999 The Federation for Children with Special Needs, Inc., Boston, Massachusetts, except as noted below. All Rights Reserved.

The sections "Positive Behavior Support" and "Functional Assessment of Behavior" © 1997 Beach Center on Families and Disability, Lawrence, Kansas.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

For more information on positive behavioral support, contact:

Center on Positive Behavioral Interventions and Support
5262 University of Oregon
Eugene, OR 97403-5262
541-346- 2505 *phone* • 541-346-5689 *fax*
pbis@oregon.uoregon.edu
www.pbis.org

Resources

Demchak, M., & Bossed, K. Assessing problem behaviors. (1996). *Innovations,* 4. American Association on Mental Retardation, 444 N. Capitol St. NW, #846, Washington, DC 20001.

DeVault, G., Krug, C., & Fake, S. Why does Samantha act that way?: Positive behavioral support leads to successful inclusion. (1996, September). *Exceptional Parent,* 26, 43-47. (Prepared by Family Connection Staff).

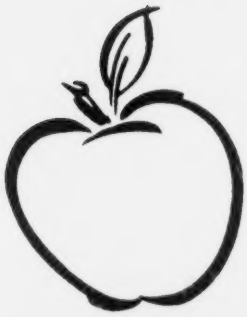
Foster-Johnson, L., & Dunlap, G. (1993). Using Functional Assessment to Develop Effective, Individualized Interventions for Challenging Behaviors. *Teaching Exceptional Children,* 25, 44-50. To order, call 888-232-7733. Ask for JTEC253.

Guidelines: Effective behavioral support. Pennsylvania Dept. of Education: Bureau of Special Education. Free. Call 717-523-1155, x213 to order.

Koegel, L. K., Koegel, R. L., & Dunlap, G. (Eds.). (1996). *Positive Behavioral Support: Including people with difficult behavior in the community.* Baltimore: Brookes. $37.95. Call 800-638-3775 to order.

Lovett, H. (1996). *Learning to Listen.* Baltimore: Brookes. $37.95. Call 800-638-3775 to order.

O'Neill, R.E., Horner, R.H., Albin, R.W., Sprague, J.R., Storey, K., & Newton, J.S. (1996). *Functional Assessment of Problem Behaviors: A practical assessment guide.* 2nd edition. Pacific Grove, CA: Brooks/Cole. $31.95. Call 800-354-9706 to order.



PEER Project

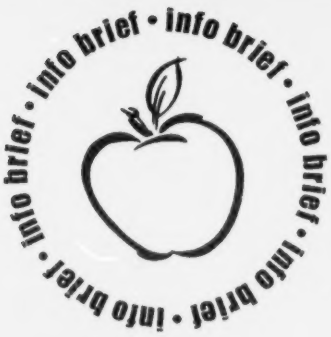
Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs

Parent Participation

Crucial to School Reform

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE



Parent Participation Crucial to School Reform

prepared by Barbara Buswell and Beth Schaffner
Peak Parent Center, Colorado Springs, Colorado

"Real change can only come as a result of the commitments of both the hearts and minds of the total school community — teachers, parents, students, administrators, and school boards."

—*Lisa Delpit*

Why Participate in General Education Reform Today?

Education reform has become a pressing reality for all communities. Local, state, and federal education agencies have defined desired student outcomes, paid increased attention to the importance of rigorous content and performance standards for students, and discussed ways to hold schools accountable for students learning at higher levels. This focus on improved results has an impact on all students and all schools. One can see reform at work in local efforts that include site-based collaborations of parents, teachers, and administrators, as well as in statewide education reform initiatives.

Common Issues in School Reform

Because of the way general education has traditionally been structured, many people have difficulty understanding how students with disabilities can be included in school reform efforts. They have only experienced traditional techniques and teaching approaches such as lecture with follow-up exercises, curriculum taught primarily through textbooks, or grouping students in tracks based on ability. In addition, as a result of their own personal experiences in school, people frequently have many incorrect or limited perceptions. They may perceive that all students in a classroom must be at the same instructional level, or be able to work at the same rate, or have the same learning objectives in order to participate together in learning activities. These traditional models of instruction still exist, but they do not lend themselves well to addressing the needs of the majority of diverse learners found in classrooms today.

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs, Boston, MA** © 1999

The issue of rights and protections adds further complexity to the question of how students with disabilities fit into school reform. Some people are fearful that if students with disabilities are included in reform, they could lose the special rights and safeguards to which they are entitled under the Individuals with Disabilities Education Act (IDEA). Furthermore, they are concerned about whether the general education system can meet anyone's needs, let alone the needs of students with disabilities.

Parents often experience resistance to their involvement in setting policy for schools. Some barriers are cultural and require customized outreach efforts that take into account the diverse norms and experiences of families. Others, like scheduling meetings at inconvenient times, are organizational and can be addressed in a more general fashion. Families often feel that educational decisions are made by other people who understand the issues better or who have control of the funds necessary for reform. In addition, some families who would like to be involved need access to information to be effective participants. Sometimes, people who have a strong interest in the schools are not informed and are thereby left out of the discussions and the decision-making process.

New Opportunities for Students with Disabilities in School Reform Efforts

Given the current situation, where many schools are achieving less than satisfactory results for students who receive special education services as well as students in general education, it is vital that families and advocates for students who receive special education services take part in school restructuring discussions. All students — not just students traditionally included in general education — need a rich curriculum. However, special education traditionally has focused primarily on the processes of instruction rather than on student results or depth in curriculum. The 1997 Amendments to IDEA confirmed that students with disabilities must have access to the general curriculum as well as access to individualized instructional supports.

A second important issue is that students with disabilities are commonly denied access to typical incidental learning opportunities in school. Being part of social activities and rituals of the school community is important for students with disabilities if they are to participate fully in the culture or "informal curriculum" of the school. Students with disabilities need shared learning experiences with nondisabled students to develop social interaction skills and friendships — both critical dimensions of preparation for later life.

A final consideration is that students receiving special education services frequently need strong role models to assist with their language development

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

and problem-solving skills. Access to strong role models is also important for learning appropriate behavior.

Since school reform can provide new opportunities for students with disabilities to experience success in the context of general education, it is important for families to examine how teaching practices being implemented in general education reform can enhance the provision of quality special education support services. By restructuring general education, schools can provide new learning opportunities to address these students' needs for rich curricula and normalized learning experiences with nondisabled peers while still providing meaningful, individually tailored learning opportunities as designated in each student's Individualized Education Program.

Tips for Participation in Reform Efforts

Family members, advocates, educators, and students and adults with disabilities bring many different levels of expertise, experience, and energy to restructuring schools to meet students' needs better. It is important for people who are committed to generating change in their schools to choose strategies that interest and work for them. The suggestions and ideas that follow are intended to serve as "triggers" to give people ideas that they can adapt.

- ***Become familiar with the groups in your school and district that are addressing school reform issues and join the one that interests you most.***
  Consider standards committees, legislative groups, local school councils, accountability or curriculum development committees, or other groups that address key issues.

- ***Look at education reform broadly rather than with a narrow, specialized focus that might serve only one group of students.***
  Ask how schools can be changed to realize better results for all students.

- ***Learn the issues.***
  Broadening one's information base is important. Gain experience through reading, attending meetings or conferences, asking questions, and participating. Visit other schools.[1] Watch videos. School districts have staff development libraries where many current educational publications (e.g., *Educational Leadership, Education Week*) and videos are kept. Check the list provided at the end of this article for additional resources.

[1] For information on setting up and conducting site visits, see the *PEER Information Brief*, "Site Visits: Seeing Schools in Action."

- ***Ask students for feedback as new practices are implemented in their schools.***
  Learn what teaching and learning strategies students are enthusiastic about and those that do not excite them.

- ***Locate and build allies in your school, school district, or state with people who have vision, who are informed about quality education, and who are open to exploring new ideas.***
  Look for others who are connected to people with influence, and ask for names of people you should meet, places you should visit, and conferences or meetings you should attend. Network!

- ***Assist people to view students with disabilities as whole children who happen to have particular challenges.***
  Re-educate people to the idea that the manner in which schools and society have typically educated students with disabilities is not the only or necessarily the best way to assist them. Instead, schools should build on a student's strengths and provide accommodations in areas of need, rather than focus on remediating the student's problems.

- ***Provide key decisionmakers with information and reading material on educational issues.***
  When meeting with people, describe changes you have in mind in brief, accessible terms. Be as clear as possible in discussing school reform issues.

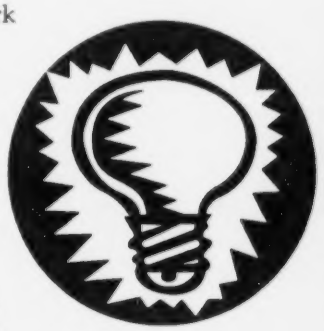
- ***Encourage ongoing training for a wide variety of participants — a key to successful school reform.***
  Request that workshops include families, individuals with disabilities, and other community members so that everyone is able to explore the same ideas that teachers study for their own professional development. Continue to train new people who enter the process. Talk with university leaders in the community and state. Inform them about critical issues and changes. Solicit their views. This communication will enable them to join you in the reforms you are working to implement.

- ***Understand the process of change.***
  Use a variety of strategic approaches to achieve what you desire. Do not wait for the system to phase in a plan. Draw key people into supporting reform, since change happens most successfully when people feel as if they themselves are choosing those changes.

Effectiveness of Combined Efforts

Active involvement of diverse groups, including families, in school reform is essential to promote the development of effective schools in which all students can succeed. Having students (including those with disabilities) participate in these discussions is also highly beneficial. Their presence forces the adoption of genuine reform strategies that will lead to the kinds of changes needed to enable schools to meet the increasingly diverse needs of all learners.

Improved opportunities for all students arise when diverse learning styles, talents, and needs are addressed in the design and development of schools as learning communities. Research has shown that when best practice, instructional strategies, and technologies are designed and used to meet the needs of students with disabilities in general classrooms, all students benefit. Students should have the opportunity to grow up and learn with peers who bring diverse strengths, depth, and richness to the educational experience. Students with disabilities are respected and appreciated for their own unique contributions. As a result, schools improve, and the likelihood is significantly increased that individuals with disabilities in the future will themselves become a part of reform discussions as we work to achieve both excellence and equity in our nation's educational system.



Resources on School Reform and Inclusive Education

Following is a bibliography of information about inclusive education and school reform:

A framework for evaluating state and local policies for inclusion. (1996). *Consortium on Inclusive Schooling Practices Issue Brief.* Alexandria, VA: National State Boards of Education.

Armstrong, T. (1994). *Multiple intelligences in the classroom.* Alexandria: The Association for Supervision and Curriculum Development.

Bellanca, J. & Swartz, E. (Eds.). (1993). *The challenge of detracking.* Palantine: IRI/Skylight Publishing, Inc.

Brandt, R. (1993, October). On restructuring roles and relationships: A conversation with Phil Schlechty. *Educational Leadership.*

Darling-Hammond, Linda, & Falk, B. (1997). Using Standards and Assessment to Support Student Learning. *Phi Delta Kappan,* 79, 190-202.

Doyle, M.B. (1997) *The paraprofessionals's guide to the inclusive classroom.* Baltimore: Paul H. Brookes.

Eisner, E.W. (1994). *Cognition and curriculum reconsidered.* New York: Teachers College Press.

Castagnera, E., Fisher, D., Rodifer, K., & Sax, C. (1998) *Deciding what to teach and how to teach it.* Colorado Springs: PEAK Parent Center, Inc.

Darling-Hammond, L. (1997). *The right to learn: A blueprint for creating schools that work.* San Francisco: Jossey-Bass.

Delpit, L. (1998). Lessons from Home. Teaching Tolerance, 15-19.

Delpit, L. (1995). *Other people's children.* New York: The New Press.

Fisher, D., Pumpian, I., & Sax, C. (1999) *Inclusive high schools: Learning from contemporary classrooms.* Baltimore: Paul H. Brookes.

Fullan, M. (1993). *Change forces.* Bristol, PA: The Falmer Press.

Falvey, M. (1995). *Inclusive and heterogeneous schooling.* Baltimore: Paul H. Brookes.

Gardner, H. (1992) *The unschooled mind: How children think and how schools should teach.* USA: Basic Books.

Goodlad, J. & Lovitt, T. (1993) *Integrating general and special education.* New York: MacMillan Publishing Co.

Harry, B., Torguson, C., Guerrero, M., & Katkavitch, J. (1993) A posture of reciprocity: Empowering culturally diverse families. *Disability and Society,* 9 (2), 145-165.

Henderson, A., Marburger, C., & Ooms, T. (1986). *Beyond the bake sale.* Washington, DC: National Committee for Citizens in Education.

Including Students with Disabilities in Accountability Systems (1998). *Consortium on Inclusive Schooling Practices Issue Brief.* Pittsburgh, PA: Allegheny University of the Health Sciences.

Jorgensen, C. (1998). *Restructuring high schools for all students.* Baltimore: Paul H. Brookes.

Kohn, A. (1996). *Beyond discipline: From compliance to community.* Alexandria: The Association for Supervision and Curriculum Development.

Kozol, J. (1991). *Savage inequalities.* New York: Harper Perennial Publishers.

Ladson-Billings, G. (1994). *The dreamkeepers.* San Francisco: Jossey-Bass Publishers.
Levin, D., Lowe, R., Peterson, B., & Tenorio, R. (Eds.). (1995). *Rethinking schools.* New York: The New Press.

Lipsky, D. & Gartner, A. (1997). *Inclusion and school reform.* Baltimore: Paul H. Brookes.

McGregor, G. & Vogelsberg, R. (1998). *Inclusive school practices: Pedagogical and research foundations.* Pittsburgh: Allegheny University of the Health Sciences.

Meier, D. (1995). *The Power of their ideas.* Boston: Beacon Press.

Oakes, J. (1985). *Keeping track: How schools structure inequality.* New Haven, CT: Yale University Press.

Rainforth, B. (1996). Related services supporting inclusion: Congruence of best practices in special education and school reform. *Consortium on Inclusive Schooling Practices Issue Brief.* Alexandria, VA: National State Boards of Education.

Reigeluth, C.M. (1997). Educational Standards: To standardize or to customize learning. *Phi Delta Kappan,* 79, 202-206.

Roach, V., Ascroft, J., & Stamp, A. (1995). *Winning ways: Creating inclusive schools, classrooms, and communities.* Alexandria: National Association of State Boards of Education.

Sapon-Shevin, M. (1998). *Because we can change the world: A practical guide for building cooperative inclusive classroom communities.* Needham Heights, MA: Allyn & Bacon.

Sapon-Shevin, M. (1994). *Playing favorites: Gifted education and the disruption of community.* New York: State University of New York Press.

Sarason, S. (1995). *Parental involvement and the political principle.* San Francisco: Jossey-Bass Publishers.

Sax, C., Pumpian, I., & Fisher, D. (1997). *Assistive Technology & Inclusion. Consortium on Inclusive Schooling Practices Issue Brief.* Pittsburgh, PA: Allegheny University of the Health Sciences.

Schaffner, C.B. & Buswell, B.E. (1997). *Inherently Equal: An inclusion action guide for families and educators.* Boston: MA: The Federation for Children with Special Needs.

Schaffner, C.B. & Buswell, B.E. (1991). *Opening doors: Strategies for including all students in regular education.* Colorado Springs: PEAK Parent Center, Inc.

Stainback, S. & Stainback, W. (1996). *Inclusion. A guide for educators.* Baltimore: Paul H. Brookes.

Sizer, T. R. (1997). *Horace's hope: What works for the American high school.* Somerville, MA: Houghton Mifflin.

Villa, R. & Thousand, J. (Eds.). (1995). *Creating an inclusive school.* Alexandria: The Association for Supervision and Curriculum Development.

Wheelock, A. (1992). *Crossing the tracks: How "untracking" can save America's schools.* New York: The New Press.

BEST COPY AVAILABLE

© 1999 The Federation for Children with Special Needs, Inc. and PEAK Parent Center, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Fact Sheet

Parent Participation Fact Sheet

☑ Tips for participation in reform efforts

Family members, advocates, educators, and students and adults with disabilities bring many different levels of expertise, experience, and energy to restructuring schools to meet students' needs better. It is important for people who are committed to generating change in their schools to choose strategies that interest and work for them. The suggestions and ideas that follow are intended to serve as "triggers" to give people ideas that they can adapt.

- *Become familiar with the groups in your school and district that are addressing school reform issues and join the one that interests you most.*
  Consider standards committees, legislative groups, local school councils, accountability or curriculum development committees, or other groups that address key issues.

- *Look at education reform broadly rather than with a narrow, specialized focus that might serve only one group of students.*
  Ask how schools can be changed to realize better results for all students.

- *Learn the issues.*
  Broadening one's information base is important. Gain experience through reading, attending meetings or conferences, asking questions, and participating. Visit other schools.[1] Watch videos. School districts have staff development libraries where many current educational publications (e.g., *Educational Leadership, Education Week*) and videos are kept.

[1] For information on setting up and conducting site visits, see the *PEER Information Brief*, "Site Visits: Seeing Schools in Action."

PEER

Parents Engaged in Education Reform, a project of the **Federation for Children with Special Needs** © 1999
1135 Tremont Street, Suite 420, Boston, MA 02120 • Voice/TTY: 617-236-7210
Fax: 617-572-2094 • Email: peer@fcsn.org • Web: www.fcsn.org/peer

- ***Ask students for feedback as new practices are implemented in their schools.***
  Learn what teaching and learning strategies students are enthusiastic about and those that do not excite them.

- ***Locate and build allies in your school, school district, or state with people who have vision, who are informed about quality education, and who are open to exploring new ideas.***
  Look for others who are connected to people with influence, and ask for names of people you should meet, places you should visit, and conferences or meetings you should attend. Network!

- ***Assist people to view students with disabilities as whole children who happen to have particular challenges.***
  Re-educate people to the idea that the manner in which schools and society have typically educated students with disabilities is not the only or necessarily the best way to assist them. Instead, schools should build on a student's strengths and provide accommodations in areas of need, rather than focus on remediating the student's problems.

- ***Provide key decisionmakers with information and reading material on educational issues.***
  When meeting with people, describe changes you have in mind in brief, accessible terms. Be as clear as possible in discussing school reform issues.

- ***Encourage ongoing training for a wide variety of participants — a key to successful school reform.***
  Request that workshops include families, individuals with disabilities, and other community members so that everyone is able to explore the same ideas that teachers study for their own professional development. Continue to train new people. Talk with university leaders in the community and state. Inform them about critical issues and changes. Solicit their views. This communication will enable them to join you in the reforms you are working to implement.

- ***Understand the process of change.***
  Use a variety of strategic approaches to achieve what you desire. Do not wait for the system to phase in a plan. Draw key people into supporting reform, since change happens most successfully when people feel as if they themselves are choosing those changes.

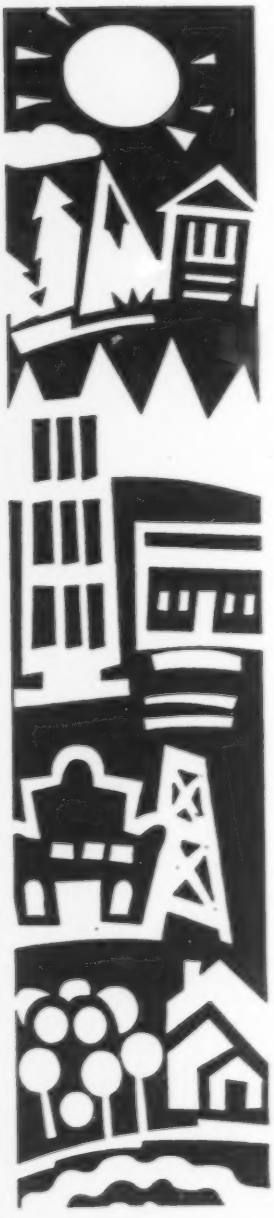
Information in this **Fact Sheet** is based on the *PEER Information Brief*, "Parent Participation: Crucial to Education Reform" by Barbara E. Buswell and Beth Schaffner.

© 1999 The Federation for Children with Special Needs, Inc. and PEAK Parent Center, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.

PEER Project

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs



Site Visits
Seeing Schools in Action

The Federation for Children with Special Needs
1135 Tremont Street, Suite 420, Boston, Massachusetts 02120
617-236-7210 (voice/TTY) • Fax: 617-572-2094
fcsninfo@fcsn.org • www.fcsn.org

BEST COPY AVAILABLE

Site Visits
Seeing Schools in Action

prepared by Alison Seyler and Barbara E. Buswell, PEAK Parent Center
introduction by Janet R. Vohs, PEER Project

Introduction

What does it really mean to say schools can work for all students? What would a school that works for all students look like? While the famous retort, "I'll know it when I see it" may have some merit, it lacks the power of real-life examples to communicate an idea effectively. One way to make sense of education reform is to build an album of mental pictures of effective education reform practices in action.

This *PEER Information Brief* is based on materials the PEER Project developed to guide teams of parents and professionals in conducting site visits to schools. The PEER Project sponsored site visits in various parts of the country to schools engaged in education reform where inclusion of students with disabilities was an integral dimension of their reform efforts. As a tool to prepare site visit team members, PEER developed a series of guiding questions, an overall protocol for conducting the visit and for post-visit debriefing, and information on site-visit etiquette. Participants found the approach helpful for generating ideas and for identifying potentially effective strategies that could be used in their own communities. While the PEER Project sponsored teams of parent leaders and professional educators, individual parents and parent leaders can easily adapt the ideas in this *Information Brief* to their own schools.

Team Approach

For promoting school-wide change, site visits are most productive when a team of representative members from the school — for example, an administrator, a classroom teacher, a special education teacher, a paraprofessional, parents of children with and without disabilities — visit a school actively engaged in school reform.

When deciding on a team for a site visit, some important questions to consider are:

Parents Engaged in Education Reform, a project of the Federation for Children with Special Needs, Boston, MA © 1999

1. What contribution do you believe your team will be able to make to improve your school?
2. What do you think a visit would contribute to your efforts to effect change that would benefit all students?
3. What school reform initiatives are you and other team members most excited about?
4. What experience do members of your team have in working on school reform efforts that include all students?

A team approach to a site visit allows for the richness of multiple perspectives and broadens the resource base once the team returns to the home school. Productive education reform comes about when there is a collaborative team effort between school and community.

Guiding Questions for Site Visits*

The following questions are organized into four categories, generally representing concerns and issues from four perspectives: students, teachers, administrators, and community members (including parents). Before a site visit, each team member can be assigned to observe from one of these four perspectives. It can be very productive when the assigned perspective is different from a person's usual role at his or her home school (e.g., for a general educator to take the student's perspective, for an administrator to take the teacher's perspective.)

The questions are designed to:

- help site visitors identify good school practices that work for all students,
- foster communication, exploration, and create a common way to organize observations,
- focus the visit so that it is useful, efficient, and productive,
- create a common purpose, and
- help make sense of what visitors see.

When the team meets after the visit, team members can explore and synthesize what they discovered using the questions to guide discussion.

How the Student Experiences School

High standards for all students

Does the school believe that all students can achieve high standards — both academically and socially? How are these beliefs demonstrated? How are students expected to demonstrate the standards? How do the administrators, teachers, and family members communicate the value of excellence and the belief that all students can continually learn?

PEER
Parents Engaged in Education Reform
is a project of the
Federation for Children with Special Needs
1135 Tremont Street
Suite 420
Boston, MA 02120
Web:
www.fcsn.org/peer
Email:
peer@fcsn.org
Voice/TTY:
(617) 236-7210
Fax:
(617) 572-2094

* For a copy of "Guiding Questions for Site Visits" prepared for the PEER Project by Marilyn Crocker, Barbara Buswell, and Douglas Fisher, contact PEER at 617-236-7210 or PEAK Parent Center at 719-531-9400. The questions are based on the work of Mark Berends and Bruce King from the University of Wisconsin at Madison.

An emphasis on thinking skills

- How does what the students learn reflect the purpose and goals of the school?
- How does the design of what the school teaches (curriculum) support all students in reading, writing, speaking, listening, math, technology, creative thinking, critical thinking, and problem solving?
- How do the instructional activities help students achieve high performance standards?
- How do IEPs show a commitment to high standards for students with disabilities?

Frequent monitoring and evaluation of student performance

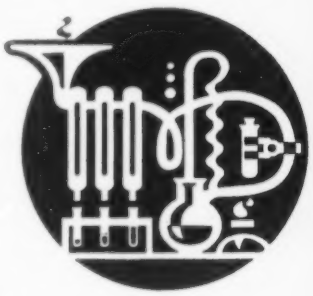
- How often are students provided feedback with how they are doing?
- Who provides the feedback?
- Are students encouraged to evaluate their own performance?
- How are families provided with feedback on their son or daughter's performance?
- What kinds of tests and other evaluation processes are used and what do they measure?
- How are tests and other evaluations modified so that all students can participate?
- How are student accomplishments spotlighted and celebrated?

An atmosphere of order and discipline

- Is there agreement among teachers, administrators, and students on basic rules of conduct?
- How many rules are students expected to follow?
- How are the rules stated?
- Are there other aspects of the school that contribute to a sense of order? If so, what are they?
- How does the schedule promote learning?
- Is the school flexible with space and time? How?

An atmosphere of caring

- How does the school ensure a safe environment for learning?
- How are alternatives to violence taught?
- Does the staff model tolerance and respect?
- Are students being taught to respect diversity and difference?
- How are students being taught to view situations from different perspectives?



Supports for students with unique learning needs

- How are teachers modifying and accommodating a wide variety of student work?
- How are students helped to develop friendships and positive relationships?
- How are support and related services given to students with IEPs?
- Do all students at the school receive a diploma after graduation?
- How are students with IEPs graded?

The Professional Life of Teachers

Teacher skills and beliefs

- Do teachers believe they can teach all students?
- Are individual learning styles and needs taken into account?
- How do teachers use content and skills learning to facilitate both academic and socialization goals?
- How well do teachers know their subject area?
- How well do teachers know their students?

Teacher styles

- How do the teachers instruct?
- How do the teachers manage the classroom?
- How do the learning activities take multiple intelligences and cultures into account?
- How are teachers involved in advising and mentoring students in addition to teaching?

Teacher support

- How is common planning time made available to teachers?
- How and when do teachers think about what, why, and how they are teaching?
- What kinds of training and development options do staff have access to and use?
- Do school or staff members participate in a national network concerned with school reform or inclusive schooling?

Leadership, Management, and Governance

Shared sense of organizational purpose

- Is there a clear, school-wide vision and set of goals for behavior and achievement?
- Where do you see this?
- How are the school priorities clearly communicated to students, parents, and community members?
- Did you see a shared understanding of the goals among students, staff, administration, and parents?
- How is the school governed?
- Who makes which kinds of decisions?

Strong administrative leadership

- Is collaboration in learning among faculty, staff, and students noticeable?
- How do the administrators foster vision building, ongoing improvement and problem-solving?
- How do the teaching staff and the administrators get along?
- Do administrators encourage teachers to try new ways to teach more effectively to a diverse group of students?

A learning organization

- Does administration support ongoing professional growth of staff?
- How does administration encourage productive interactions with district-level programs? With families? With community partners?

- How is success with all students measured?
- How are families involved as full partners in decisions that affect them?

Coordination of Services with the Community

Family and community involvement

- How does the school invite and expect family and community involvement?
- How does the school create regular two-way, meaningful communication with families?
- How are families invited to help their sons and daughters in the learning process?
- How does the school show appreciation of traditions of families from diverse cultures?
- What kind of parent involvement in academics occurs beyond PTO, parents' night, and extra-curricular activities?
- Are other community organizations engaged in partnership with the school? How?
- How does the school involve community members, local businesses, and human service agencies to help students succeed?
- Does the school have a relationship with colleges or universities?
- Does the school have any agreements with local employers to place students in career jobs during the year, summers, and following graduation?

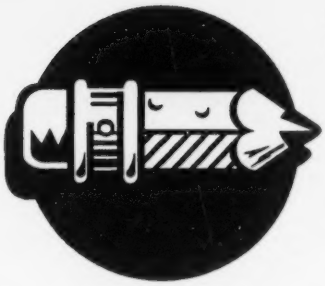
These questions should not limit the scope of a team's experience. Additional questions and observations are always encouraged.

Site Visit Etiquette

A productive visit to another school takes good planning. It is essential to prearrange the visit well in advance so that meetings with school personnel and families may take place, and classroom visits may be organized. If appropriate, share the "Guiding Questions for Site Visits" to increase the comfort of the school about your visit.

Because site visits are most productive when classes are in session, it is important to be mindful of visitation etiquette.

- If you are visiting classrooms, try to schedule your time to be there at the beginning of the class. It can be disruptive to come in during instruction.
- Schedule meetings with administrators, teachers, students, and staff throughout the day at times convenient to them. Be respectful of everyone's time during these meetings.
- Before the visit, become thoroughly familiar with the questions you have been assigned to explore.
- During conversation times — such as during breaks, walking in the halls with a student, in meetings with the staff — be ready to ask questions which were not answered during observation sessions. Use these occasions to ask for greater clarification about



how the school went about restructuring, including any difficulties encountered and how they were addressed.

- Remember that everything about a school reflects the way it is intentionally or unintentionally "educating" its students. Look at things like the maintenance of the building and grounds, accessibility, menus in the cafeteria, hallway and classroom decor, the presence of parents, lighting, ventilation, noise levels, office placement, ambiance of the teachers' room, etc.

- Ask first about taking pictures. Cameras can be a distraction, and in some cases, it is against the law to take pictures of students.

- Note-taking can also be a distraction to some students. While in the classroom, it is sometimes easier to observe and then jot down notes after the class has been dismissed.

- Remember you are a guest who has been invited to share in a very complex organizational dynamic. Your very presence changes what normally "happens" — no matter how accustomed the school community is to hosting visitors. As much as possible, be a gracious, appreciative "participant observer." Select your most important questions to raise during the group interviews. Reserve any evaluative comments for the debriefing sessions which follow the site visit.

Focus on How Students with Disabilities Are Included in School Reform

Although schools may be engaged in various school reform initiatives, many still have a long way to go in including all students in the process. Addressing the unique learning needs of students is critical to making schools better for all. The successful inclusion of students with disabilities in general education classrooms is a good indication that the teaching and learning for all the students is effective. It is important, therefore, for each team member to look at the inclusion of students with disabilities from their assigned perspectives.

After the Site Visit: Taking What You Learned Home

It is beneficial for the team to have a short meeting at the end of the site visit day to discuss what each person observed. This "first reactions"debriefing helps team members listen to and compare initial reactions.

After the team has returned to its home school, team members should schedule a debriefing meeting to discuss general observations, have a thorough discussion from each of the four perspectives, pull together what they learned, and ask more questions. Questions at this session might include: Did the team observe any practices that would work well at their school? How might they begin to implement these practices at their school? Who needs to be

part of their school reform discussions? School staff? PTA? Accountability committee? Community representatives? What other information would they need to collect? What resources would they need, such as training, consultation, release time for more people to visit schools, etc.?

Some Final Words

Looking around and seeing what other schools are doing is a great way to begin to improve your school. Of course, not everything a team observes at a site will be appropriate for their home school. Sometimes observing what doesn't seem appropriate helps sharpen the focus of what would work. Articulating what is missing is one step toward making it present.

Finally, individual parents may decide to use this process even if the school does not agree to a team approach. Parents might invite another parent or other interested person to join them. After the visit, sharing what was learned about another school with your own school community can spark interest in the school reform process.

BEST COPY AVAILABLE

© 1999 The Federation for Children with Special Needs, Inc. and PEAK Parent Center, Inc. All Rights Reserved.

This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.